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Title: CONSIDER REJECTION OF BIDS FOR PROJECT NO.1632 - COMMUNITY CENTER FOLDING WALL SYSTEM AND AUDIO-VISUAL SYSTEM (CITY COUNCIL)

Sponsors:

Indexes:

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Attachments: 1. Coiling Wall Plans, 2. CWS Proposal

Date	Ver.	Action By	Action	Result
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Report to Mayor and City Council

Tuesday, September 19, 2023

Consent

SUBJECT:

CONSIDER REJECTION OF BIDS FOR PROJECT NO.1632 - COMMUNITY CENTER FOLDING WALL SYSTEM AND AUDIO-VISUAL SYSTEM (CITY COUNCIL)

I. SUMMARY

Project 1632: Community Center Folding Wall System is part of the City’s Capital Improvement Program. The project includes the removal of the existing coiling wall and replacing it with a new folding wall system. It also includes the installation of a new lighting system and a new Audio-Visual system (Exhibit No. 1). The Invitation for Bids (IFB) was advertised in a newspaper of local circulation and through the PlanetBids Portal from March 9, 2023 to April 20, 2023. One bid was received and opened at the City Clerk’s office. Public Works Engineering determined that CWS Systems Inc. was the lowest responsive and responsible bidder, with a total bid amount of \$2,645,000.00.

Given that only one bid was received, staff is recommending that City Council reject the bid submitted by CWS Systems Inc. and readvertise the Project for construction bid with a wider outreach in order to secure more competitive bids.

II. RECOMMENDATION

Take the following actions:

1. REJECT all bids received in response to RFP No. IFB 23-05.
2. AUTHORIZE staff to re-advertise the project for construction bid in an effort to receive more competitive bid amounts.

III. ALTERNATIVES

1. DO NOT reject the bid.
2. TAKE another action the City Council deems appropriate and consistent with the requirements of the law.

IV. BACKGROUND

Project 1632: Community Center Folding Wall System is part of the City's adopted 5-year Capital Improvements Program (CIP) projects. The project includes the removal of the old coiling wall and replacing it with a new folding wall system. It also consists of the installation of new lighting and Audio-Visual upgrades.

Westberg and White, Inc. has completed the Plans, Specifications, and estimates (PS&E) for these improvements. The Purchasing Division advertised the project twice. This project was first advertised on the PlanetBids Portal from September 7, 2022 to October 6, 2022. The City held a Pre-Bid Walk in which three contractors participated. However, no bids were received on the bid due date on October 6, 2022.

Given that no contractor submitted bids when the project was first advertised, the City Attorney's office advised staff that it was permissible under the bidding statutes for City to solicit bids from individual contractors by way of contacting them personally and requesting bids. On January 18, 2023, the City received a bid from CWS Systems Inc. for \$2,990,000. The City reviewed this bid and determined it was unbalanced and much higher than the original engineer's estimate of \$1,900,000 and not acceptable.

Therefore, on March 9, 2023, Public Works Engineering Division went out to bid for this project a second time. Two contractors participated at the second pre-bid walk - CWS Systems Inc. and Pacific Sound Control but only one bid was received which was opened at the City Clerk's Office on April 20, 2023. Public Works Engineering Division determined that CWS Systems Inc. was the lowest responsive and responsible bidder, with a total bid amount of \$2,645,000 (Exhibit No. 2). The project is subject to compliance with the City's Project Labor Agreement and the bid amount reflects the same.

With the City only receiving one bid, staff will review the PS&E and bidding documents to see if plans and bid descriptions can be further revised in order to more accurately assess the bids being received and the engineering estimates being provided. Staff is recommending that City Council reject the bid submitted by CWS Systems Inc. and readvertise the Project for construction bid with a wider outreach in order to secure more competitive bids.

V. FISCAL IMPACT

None, rejecting bids does not have a direct fiscal impact to the City.

VI. EXHIBITS

1. Folding Wall Plans (pgs. 4 - 42)
2. CWS Bid (pgs. 43-70)

1.

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