

RESOLUTION NO. 09-172

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AWARDING THE CONTRACT TO INSTALL RESTROOMS AT THE
NORTH COUNTY TRANSPORTATION CENTER

WHEREAS, the City applied for and received a Proposition 1B grant in the amount of \$158,765 to install restrooms at the North County Transportation Center (NCTC); and

WHEREAS, the City also applied for and received an American Recovery and Reinvestment Act (ARRA) grant in the amount of \$65,000 for this project; and

WHEREAS, the project was designed, bid documents were prepared and advertised, and at the bid opening on November 12, 2009, six bids were received ranging in price from \$155,100 to \$261,873; and

WHEREAS, the City received bid protests from JM Reiss Associates and JTS Construction against the low bidder, Sierra Pacific; and

WHEREAS, JM Reiss Associates also protested the bid of the second low bidder, JTS Construction; and

WHEREAS, Sierra Pacific and JTS responded to the protests; and

WHEREAS, the City Attorney reviewed the bids, protests and responses, and determined the protests regarding the bid submitted by Sierra Pacific were well-founded and should be sustained, but that the protests regarding the JTS bid were inconsequential issues that did not affect the responsiveness of that bid; and

WHEREAS, based on review of the bids, protests and responses by staff and the City Attorney, staff recommends that City Council reject Sierra Pacific's bid as non-responsive and award the contract to the second lowest bidder, JTS Construction; and

WHEREAS, there is a remaining balance of \$195,000 from the Prop 1B and ARRA grants available for the construction phase of this project.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of El Paso de Robles does hereby sustain the protests against the bid submitted by Sierra Pacific Commercial Construction and reject the bid as nonresponsive.

SECTION 2. The City Council does hereby overturn the protests against the bid submitted by JTS Construction and does hereby award the contract to the second lowest bidder, JTS Construction, to install restrooms at the North County Transportation Center, and authorizes the City Manager to execute the contract..

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 15th day of December 2009 by the following vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Duane Picanco, Mayor

Lonnie Dolan, Deputy City Clerk