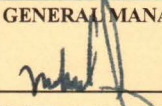
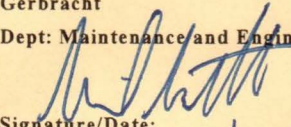
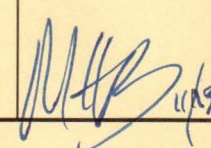
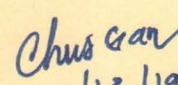
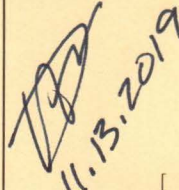




## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>  11/13/19		<b>GENERAL MANAGER ACTION REQ'D:</b> Approve and forward to Board		
<b>DATE:</b> 10/25/2019		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Michael Gerbracht <b>Dept:</b> Maintenance and Engineering  <b>Signature/Date:</b> 11/13/19	<b>General Counsel</b>  11/13/19	<b>Controller/Treasurer</b>  11/13/19 [ ]	<b>District Secretary</b> [ ]	<b>BARC</b>  11.13.2019 [ ]
<b>Status:</b> Approved		<b>Date Created:</b> 10/25/2019		

### Reject all Bids for Contract Number 54RR-110 Sewage Pumps Replacement

#### PURPOSE:

To request Board Authorization to reject all received Bids for Contract Number 54RR-110 Sewage Pumps Replacement.

#### DISCUSSION:

This contract is for the upgrade and replacement of thirty (30) Sewage Sump Pump systems at twenty-four (24) locations throughout the District. Sewage sump pumps serve either sanitary or industrial waste water systems, by transferring all waste water in the given system to the local utility for disposal.

The District provided Advance Notice to fifty-six (56) prospective Bidders who received the electronic version of the Contract book, including forms to submit, from the District's Vendor Portal, plans were sent to six (6) Plan Rooms. The Contract was advertised on August 8, 2019 in local publications. A total of thirty-five (35) firms downloaded the Contract Documents from the District's Vendor Portal. A pre-bid meeting was conducted on August 28, 2019 with ten (10) prospective Bidders attending the meeting. A site tour was conducted on August 28, 2019 with seven (7) prospective Bidders. A total of two (2) Bids were received and publicly opened on October 1, 2019. Tabulation of the Bids, including the Engineer's Estimate, is as follows:



No	Bidder	Location	Bid
1	Thompson Builders Corporation	Novato, CA	\$8,071,000
2	Shimmick Construction	Oakland, CA	\$8,085,000
	Engineer's Estimate		\$9,129,674

Staff conducted a line-item evaluation of both bidders pricing. Both bidders significantly underpriced replacement of the Sanitary systems. The Engineer's Estimate reflected an expected *increase* in cost for a Sanitary system as compared to Industrial Systems; whereas both bidders' pricing showed a net *decrease* in price for Sanitary systems. This does not appear to accurately account for field conditions and represents a risk that significant portions of the intended work scope for Sanitary Systems were excluded from the Bid pricing and could result in unacceptable delays or future change orders to complete the work.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Contract are 6.0% for Minority Business Enterprises ("MBEs") and 3.9% for Women Business Enterprises ("WBEs"). The Office of Civil Rights has determined that both Bidders exceeded both the MBE and WBE Availability Percentages for this Contract.

Pursuant to the District's Non-Federal Small Business Program, the Office of Civil Rights set a 20% Local Small Business ("LSB") Subcontractor Participation Goal for this Contract. Bidders who meet the LSB Subcontractor Participation Goal are eligible for an LSB Preference of 7% of the lowest responsive Bidder's Bid, up to a cap of \$150,000. The Office of Civil Rights determined that both Bidders fell significantly short of the LSB Goal. Bidder Thompson Builders Corporation committed to subcontracting 3.7% to LSBs, whereas Bidder Shimmick Construction, committed to subcontracting 1.1% to LSBs.

Staff recommends that the Board Rejects all bids. Staff will re-evaluate the Contract requirements with respect to Sanitary Systems to ensure the Bid Documents are more clearly defined and accurate. Staff will also determine if the work scope can be repackaged and re-advertised to receive more bids favorable to the District.

#### **FISCAL IMPACT:**

There is no Fiscal Impact resulting from rejection of all Bids.



Reject all Bids for Contract Number 54RR-110

**ALTERNATIVES:**

The Board can elect to Award this Contract. This may result in excessive change requests and/or claims from the Contractor.

**RECOMMENDATION:**

Staff recommends that the Board approve the following Motion:

**MOTION:**

All Bids for Contract Number 54RR-110, Sewage Pumps Replacement, are rejected.