

RESOLUTION NO 1026

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA DENYING THE PROTEST OF BID FILED APRIL 2, 2012 BY TEAM GHILOTTI, INC. OF PETALUMA, CALIFORNIA, AND AWARDING CONTRACT NO. C01477 TO MASCON, INC. AND ARGONAUT CONSTRUCTORS, DOING BUSINESS AS MASCON, INC./ARGONAUT CONSTRUCTORS JOINT VENTURE OF SANTA ROSA, CALIFORNIA FOR POPLAR STREET SEWER AND WATER IMPROVEMENTS.

WHEREAS, bids have been invited for the performance of work for the City of Santa Rosa, generally described as Poplar Street Sewer and Water Improvements, Contract Number C01477; and

WHEREAS, bids were received and opened in accordance with law and the City Engineer has reported thereon; and

WHEREAS, the apparent low bidder is Mascon, Inc. and Argonaut Constructors, doing business as (dba) Mascon, Inc./Argonaut Constructors Joint Venture of Santa Rosa, California, in the amount of \$498,717.00; and

WHEREAS, the second low bidder, Team Ghilotti, Inc., filed a protest contending that the cost of the work to perform the closed-circuit television inspection of all newly constructed sewer main and laterals (CCTV work) for this project would be \$2,814.00, which would be in excess of one-half of one percent of the total amount of the bid by Mascon, Inc. and Argonaut Constructors, dba Mascon, Inc./Argonaut Constructors Joint Venture (Mascon/Argonaut) and therefore Mascon/Argonaut was required to include a listing of a subcontractor for such work per Section 8-1.01 of the Contract Documents; and

WHEREAS, Mascon/Argonaut responded that its costs for the closed-circuit television inspection are \$2,380.50, which is less than \$2,493.59, the one-half of one percent of the total amount of their bid, and therefore it was not required to list a subcontractor for the work; and

WHEREAS, Engineering Services staff recommends that the Board of Public Utilities deny the bid protest and award the bid to the lowest responsive bidder.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities finds that Mascon, Inc. and Argonaut Constructors dba Mascon, Inc./Argonaut Constructors Joint Venture of Santa Rosa, California was not required to list the subcontractor for the CCTV work.

BE IT FURTHER RESOLVED that the Board of Public Utilities denies the Protest of Bid filed by Team Ghilotti, Inc. of Petaluma, California.

BE IT FURTHER RESOLVED that the Board of Public Utilities accepts the bid of Mascon, Inc. and Argonaut Constructors, dba Mascon, Inc./Argonaut Constructors Joint Venture of Santa Rosa, California, in the amount of \$498,717.00 and awards

Contract Number C01477 to Mascon, Inc. and Argonaut Constructors, dba Mascon, Inc./Argonaut Constructors Joint Venture of Santa Rosa, California, in the amount of \$498,717.00 and for performance in accordance with plans and specifications on file in the Office of the City Engineer.

BE IT FURTHER RESOLVED that the Board of Public Utilities authorizes the Chair to execute the contract and the Director of Administrative Services to pay all proper claims for performance of the contract out of Account Nos. 17492, 70612 and 55590, "Poplar Street Sewer and Water Improvements".

BE IT FURTHER RESOLVED that in accordance with City Council Policy No. 100-07, "authorization of contract Change Orders on Public Works Contracts," the Board of Public Utilities approves a total authorized contract amount of \$573,524.55 (the original contract amount plus a 15% contingency).

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 7th day of June, 2012.

AYES: (5) DOWD, GALE, CARNEY, GALVIN, AND LOWRY

NOES: (0)

ABSENT: (2) MEECHAN AND SWINTH

ABSTAIN: (0)

APPROVED: 

Chairman Richard Dowd

ATTEST: 

Gina Perez
Recording Secretary

APPROVED AS TO FORM:


City Attorney