

## RESOLUTION NO. 2021-88

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA REJECTING BIDS AND APPROVING RE-ADVERTISING AND CALL FOR BIDS FOR THE CITY OF MARINA AIRPORT BUILDING 533 EXTERIOR IMPROVEMENTS PROJECT

WHEREAS, at the regular meeting of July 2, 2019, the City Council adopted Resolution No. 2019-64, adopting the Fiscal Year 2019-20 and 2020-21 budgets; and,

WHEREAS, Building 533 Improvements Project #2004 was listed as a funded, active project in the Airport Capital Projects Fund 460; and,

WHEREAS, the proposed improvements to Building 533 is phased into two projects. The first phase would include the exterior improvements including siding rehabilitation. The second phase includes the interior improvements to make the restrooms ADA compliant. The phasing of the improvements would facilitate the completion of the work and prioritize the exterior improvements to inhibit further deterioration of the building; and,

WHEREAS, at the regular meeting of June 2, 2021, the City Council adopted Resolution No. 2021-, approving advertising and call for bids for the Marina Airport Building 533 Exterior Improvements Project; and,

WHEREAS, on July 15, 2021, sealed bids were received, opened, and publicly read via live video feed for the Marina Airport Building 533 Exterior Improvements Project; and,

WHEREAS, staff reviewed the three bids received and determined that bids from Waterproofing Associates, Inc. and California Roofing Company Inc. were deemed non-responsive because unit prices were not provided on their bids and were required per Section 2.6 of the Specifications; and,

WHEREAS, the responsive bid from Legacy Roofing and Waterproofing has a clerical error on the unit prices. After correctly extending unit prices, the grand total bid of \$492,217.00 is changed to \$983,430.00. The error on Legacy's bid nearly doubled their grand total bid amount and the required 10% bid bond amount is now non-compliant; and,

WHEREAS, the project Specifications includes the following provisions: The City Council reserves the right to reject any or all bids and to determine which proposal is, in its judgement, the most responsive bid of a responsible bidder and which proposal should be accepted in the best interest of the City. The City Council also reserves the right to waive any irregularity in any proposal or bid; and,

WHEREAS, The FY 2020-21 Adopted Budget, Airport Capital Projects Fund 460, Building 533 Improvements Project #2004 funding has \$175,000. The Engineer's construction estimates for the exterior improvements is \$408,594.70 and may require additional funding should a responsive low bid from a responsible contractor result in an award of contract. The proposed FY 21-22 and FY 22-23 Airport Capital Projects Fund 460 includes appropriation of additional funding for the Building 533 Improvements Project; and,

WHEREAS, the City of Marina Planning Division determined that this action, approving advertising and call for bids for the Airport Building 533 Improvements is maintenance of existing infrastructure and is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 ("CEQA Guidelines"), Article 20, Section 15378.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina to adopt Resolution No. 2021- approving the following:

1. Reject bids received for the City of Marina Airport Building 533 Exterior Improvement project; and,
2. Approve re-advertising and call for bids for the City of Marina Airport Building 533 Exterior Improvement project.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 3<sup>rd</sup> day of August 2021, by the following vote:

AYES: COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

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Bruce Delgado, Mayor

ATTEST:

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Anita Sharp, Deputy City Clerk

July 28, 2021

Item No. **8f(1)**

Honorable Mayor and Members  
of the Marina City Council

City Council Meeting  
of August 3, 2021

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2021-,  
REJECTING BIDS AND APPROVING RE-ADVERTISING AND CALL  
FOR BIDS FOR THE CITY OF MARINA AIRPORT BUILDING 533  
EXTERIOR IMPROVEMENTS PROJECT**

**REQUEST:**

It is requested that the City Council consider approving and adopting Resolution No. 2021-:

1. Rejecting bids received for the City of Marina Airport Building 533 Exterior Improvement project, and
2. Approving re-advertising and call for bids for the City of Marina Airport Building 533 Exterior Improvement project.

**BACKGROUND:**

At the regular meeting of July 2, 2019, the City Council adopted Resolution No. 2019-64, adopting the Fiscal Year 2019-20 and 2020-21 budgets. Building 533 Improvements Project #2004 was listed as a funded, active project in the Airport Capital Projects Fund 460.

Building 533, located at 721 Neeson Road, serves building tenants including Monterey Bay Skydive, pilots, and the public. The Building 533 Improvements Project #2004 includes construction of interior and exterior improvements to continue the viability of the building. Building 533 exterior siding is deteriorated and in need of replacing/rehabilitating to protect the structure and interior of the building. Also, the interior ground level restrooms need upgrading to refurbish outdated facilities and to meet American with Disabilities Act (ADA) requirements.

The proposed improvements to Building 533 is phased into two projects. The first phase would include the exterior improvements including siding rehabilitation. The second phase includes the interior improvements to make the restrooms ADA compliant. The phasing of the improvements would facilitate the completion of the work and prioritize the exterior improvements to inhibit further deterioration of the building.

At the regular meeting of June 2, 2021, the City Council adopted Resolution No. 2021-, approving advertising and call for bids for the Marina Airport Building 533 Exterior Improvements project.

**ANALYSIS:**

On July 15, 2021, sealed bids were received, opened, and publicly read via live video feed for the Marina Airport Building 533 Exterior Improvements Project. Three (3) bids were received as follows:

| Name of Company and Address                                                                                  | Base Bid           | Additive Alternate Bid | Grand Total   |
|--------------------------------------------------------------------------------------------------------------|--------------------|------------------------|---------------|
| Legacy Roofing and Waterproofing,<br>San Jose, CA                                                            | \$943,430.00 *     | \$40,000.00            | \$983,430.00* |
| Waterproofing Associates, Inc.<br>Mountain View, CA                                                          | NON-RESPONSIVE BID |                        |               |
| California Roofing Inc.<br>San Jose, CA                                                                      | NON-RESPONSIVE BID |                        |               |
| * <b>Correctly extended amount</b> (unit price multiplied by the number of units shown on the proposal form) |                    |                        |               |

The Engineer's estimate for the project is a Base Bid of \$390,761.70 and an Additive Alternate Bid of \$17,833.00 for a Grand Total of \$408,594.70.

Staff reviewed the three bids received and determined that bids from Waterproofing Associates, Inc. and California Roofing Company Inc. were deemed non-responsive because unit prices were not provided on their bids and were required per Section 2.6 of the Specifications.

The responsive bid from Legacy Roofing and Waterproofing has a clerical error on the unit prices. After correctly extending unit prices, the grand total bid of \$492,217.00 is changed to \$983,430.00. The error on Legacy's bid nearly doubled their grand total bid amount and the required 10% bid bond amount is now non-compliant.

The project Specifications includes the following provisions: The City Council reserves the right to reject any or all bids and to determine which proposal is, in its judgement, the most responsive bid of a responsible bidder and which proposal should be accepted in the best interest of the City. The City Council also reserves the right to waive any irregularity in any proposal or bid.

**FISCAL IMPACT:**

There is no fiscal impact to the requested City Council action.

The FY 2020-21 Adopted Budget, Airport Capital Projects Fund 460, Building 533 Improvements Project #2004 funding has \$175,000. The Engineer's construction estimates for the exterior improvements is \$408,594.70 and may require additional funding should a responsive low bid from a responsible contractor result in an award of contract. The proposed FY 21-22 and FY 22-23 Airport Capital Projects Fund 460 includes appropriation of additional funding for the Building 533 Improvements Project.

**California Environmental Quality Act (CEQA)**

The City of Marina Planning Division determined that this action, approving advertising and call for bids for the City of Marina Airport Building 533 External Improvements is maintenance of existing infrastructure and is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 ("CEQA Guidelines"), Article 20, Section 15378).

**CONCLUSION:**

This request is submitted for City Council consideration and possible action. This project is an approved ACIP project and is consistent with the City Council approval of Resolution No. 2019-64.

Respectfully submitted,

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Elvira Morla-Camacho, P.E., QSD  
Project Management Services  
Wallace Group

**REVIEWED/CONCUR:**

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Jeff Crechriou  
Airport Services Manager  
City of Marina

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Brian McMinn, P.E., P.L.S.  
Public Works Director/City Engineer  
City of Marina

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Layne P. Long  
City Manager  
City of Marina