

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, AWARDING THE CONTRACT FOR THE “PARKSIDE SEWAGE PUMP STATION UPGRADE (SWR0293)” PROJECT TO BLUE PACIFIC ENGINEERING & CONSTRUCTION IN THE AMOUNT OF \$1,350,270; AND APPROPRIATING \$170,000 FROM THE AVAILABLE BALANCE OF THE SEWER FACILITY REPLACEMENT FUND TO CIP SWR0293

WHEREAS, section 2.56.160 of the Chula Vista Municipal Code authorizes the City to contract for public works; and

WHEREAS, on July 26, 2019, the Department of Engineering and Capital Projects solicited bids for the “Parkside Sewage Pump Station Upgrade (SWR0293)” project in accordance with Chula Vista Municipal Code section 2.56.160.A; and

WHEREAS, on August 21, 2019, the Director of Engineering and Capital Projects received five (5) sealed bids for the “Parkside Sewage Pump Station Upgrade (SWR0293)” project; and

WHEREAS, the apparent low bid for the project was submitted by Blue Pacific Engineering & Construction (Blue Pacific) in the amount of \$1,350,270, which is above the Engineer’s estimate of \$1,233,676 by \$116,594 (approximately 9% above the Engineer’s estimate); and

WHEREAS, staff discovered a minor computational error that resulted in an administrative adjustment in accordance with the bid specifications to Blue Pacific’s original bid amount. The administrative adjustment to the bid amount did not change the lowest responsive bidder for the project; and

WHEREAS, on August 27, 2019, the City received a formal bid protest from the second apparent low bidder, TC Construction Co. Inc on the contention that there were irregularities in Blue Pacific’s bid relating to the completion of the List of Contractors form; and

WHEREAS, on August 29, 2019, the City informed Blue Pacific of the protest and offered them the opportunity to respond. On September 3, 2019, the City received Blue Pacific’s response. Blue Pacific’s response confirmed both Blue Pacific and subcontractors have proper licenses and adequate personnel to fully complete the work; and

WHEREAS, in response to TC Construction Co. Inc.’s protest and Blue Pacific’s response, the City Attorney’s Office conducted a review of Blue Pacific’s bid proposal and concluded Blue Pacific’s bid was non-responsive in part due to deviations from the bid

specifications and requirements. However, the City Attorney's Office also concluded that these deviations are immaterial and subject to waiver by the City; and

WHEREAS, staff recommends waiving those irregularities and awarding the project contract to Blue Pacific in the amount of \$1,350,270; and

WHEREAS, staff is recommending appropriating Sewer Facility Replacement funds in the amount of \$170,000 for purposes of completing the project; and

WHEREAS, the Sewer Facility Replacement Fund has a sufficient balance available to fund CIP SWR0293.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it accepts bids, waives irregularities, and awards the contract for the "Parkside Sewage Pump Station Upgrade (SWR0293)" project to Blue Pacific Engineering & Construction in the amount of \$1,350,270.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that it authorizes and directs the Mayor to execute the project contract on behalf of the City and directs a copy of the project contract to be kept on file with the Office of the City Clerk.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it authorizes appropriating \$170,000 from the available balance of the Sewer Facility Replacement Fund to CIP SWR0293.

Presented by

Approved as to form by

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William S. Valle  
Director of Engineering & Capital Projects

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Glen R. Googins  
City Attorney