



## Department of Public Works

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May 20, 2014  
File #STL397

Frank & Son Paving, Inc.  
P.O. Box 698  
Bonita, CA 91908

### REJECTION OF BID FOR STL397, PAVEMENT MINOR REHABILITATION FY13/14

Mrs. Alicia Vasquez,

As you know, we opened the bids for STL397, "Pavement Minor Rehabilitation FY13/14 (Rubberized Pavement Program – Chip Seal)", on May 7, 2014. At the bid opening, we announced that Frank & Son Paving, Inc. was the apparent low bidder at \$1,652,576.50.

City staff subsequently reviewed your bid for compliance with the contract documents. As part of this review, we verify the calculations for the lowest bidders and check the percentage of work proposed to be done by each contractor. Unfortunately, our review has indicated that you are only proposing to perform 34.49 percent of the work as the Prime Contractor. Under Proposal Requirements and Conditions, Section 9 Subcontracting of the Contract Documents for STL397, it states, "The Contractor shall perform at least forty percent (40%) of the contract work with his or her own organization."

We have attached a copy of our spreadsheets, which include the above calculations. Please contact us in writing via regular mail, e-mail or fax no later than 5:00 p.m., Friday, May 23, 2014, if you have any issues or questions. Note that we cannot accept any changes to your bid.

We will otherwise regretfully recommend that your bid for STL397, "Pavement Minor Rehabilitation FY13/14", be rejected for being non-responsive. If you have any questions, please contact Frank Rivera, Principal Civil Engineer at (619) 691-5045 or Roberto Juan, Associate Engineer at (619) 409-3883.

Sincerely,

FRANCISCO X. RIVERA, T.E., P.E.  
PRINCIPAL CIVIL ENGINEER

Attachment

Cc: Glenn R Googins, City Attorney  
Elizabeth Chopp, Senior Civil Engineer

# CITY OF CHULA VISTA - BID SUMMARY

File No.:	0735-10- STL397
Apparent low bidder:	Frank & Son Paving, Inc.
Low bid amount:	\$1,652,576.90
Engineer's estimate:	\$2,023,740.00
Bid opening:	May 7, 2014

Project Manager:	Elizabeth Chopp
Project Engineer:	R.D. Juan

Figures Checked By: R D Juan

CIP PROJECT #: **STL397**

## PAVEMENT MINOR REHABILITATION FY13/14 (RUBBER CHIP SEAL)

Bid Signature:	YES	Bid Signature:	YES
Traffic Cont. Form:	N/A	Traffic Cont. Form:	N/A
Letter of Capacity:	YES	Letter of Capacity:	YES
Subcontractors:	YES	Subcontractors:	YES
Affidavit:	YES	Affidavit:	YES
Bidder's Bond:	YES	Bidder's Bond:	YES
Disclosure doc.:	YES	Disclosure doc.:	YES
Addenda: 1	YES	Addenda: 1	YES
Submittal Checklist	YES	Submittal Checklist	YES

No	Item	Quantity	Unit	Engineer's Estimate		Frank & Son Paving, Inc.		TC Construction Co.	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1	Removal, Disposal and Replacement of AC Pavement (Dig-out)	3,950	TN	\$105.00	\$414,750.00	\$120.00	\$474,000.00	\$105.00	\$414,750.00
2	Crack Filling	1	LS	\$45,000.00	\$45,000.00	\$34,750.00	\$34,750.00	\$53,000.00	\$53,000.00
3	Terminal Blend Asphalt Rubber Seal Coat (Chip Seal) with Flush Coat	279,500	SY	\$4.00	\$1,118,000.00	\$3.24	\$905,580.00	\$3.48	\$972,660.00
4	Fog Seal Bike Lane	78,250	SF	\$0.20	\$15,650.00	\$0.07	\$5,477.50	\$0.07	\$5,477.50
5	Traffic Signal Loop	49	EA	\$325.00	\$17,150.00	\$285.00	\$13,965.00	\$285.00	\$12,985.00
6	Furnish and Install "Stop" Sign and Post	4	EA	\$325.00	\$1,300.00	\$1,185.00	\$4,740.00	\$450.00	\$1,800.00
7	Striping (Paint) and Raised Pavement Marker (RPM)	181,550	LF	\$1.10	\$177,705.00	\$0.64	\$103,392.00	\$0.57	\$92,083.50
8	Thermoplastic Pavement Marking and Legend	350	EA	\$145.00	\$52,200.00	\$75.70	\$27,252.00	\$53.00	\$19,080.00
9	Thermoplastic Crosswalk and Limit Line	15,620	SF	\$4.25	\$68,385.00	\$3.42	\$53,420.40	\$2.80	\$43,736.00
10	Public Convenience and Safety (Traffic Control)	1	LS	\$115,600.00	\$115,600.00	\$30,000.00	\$30,000.00	\$197,000.00	\$197,000.00
	<b>Total</b>				<b>\$2,023,740.00</b>		<b>\$1,652,576.90</b>		<b>\$1,612,572.00</b>
	<b>GRAND TOTAL AS SHOWN IN PROPOSAL</b>				<b>\$1,652,576.90</b>		<b>\$1,652,576.90</b>		<b>\$1,825,544.50</b>
	<b>DIFFERENCE</b>				<b>\$0.40</b>		<b>(\$16,972.50)</b>		<b>(\$16,972.50)</b>

Difference b/w Est. and Low Bidder	(\$37,183.10)
Difference b/w 2nd and 3rd Lowest Bidder	\$159,936.10
Difference b/w 2nd and 3rd Lowest Bidder	\$156,078.50

Difference b/w Eng' Est. and Low Bidder	18.34%
Difference b/w 1st and 2nd Lowest Bidder	\$159,936.10
Difference b/w 2nd and 3rd Lowest Bidder	\$156,078.50

ITEMS	LOWEST BIDDER		SECOND LOWEST BIDDER		THIRD LOWEST BIDDER	
	CONTRACTOR	SUBCONTRACTOR	CONTRACTOR	SUBCONTRACTOR	CONTRACTOR	SUBCONTRACTOR
	Frank & Son Paving, Inc.		Copp Contracting, Inc.		TC Construction Co.	
	\$1,652,576.50		\$1,829,544.50		\$1,968,650.50	
Bid Item 1	\$474,000.00		\$20,737.50	\$394,012.50	\$485,257.50	\$53,917.50
Bid Item 2		\$34,750.00	\$10,070.00	\$42,930.00	\$32,200.00	
Bid Item 3	\$90,568.00	\$815,022.00	\$972,660.00		\$1,137,565.00	
Bid Item 4	\$5,477.50		\$5,477.50		\$7,825.00	
Bid Item 5		\$13,965.00	\$649.25	\$12,335.75	\$15,680.00	
Bid Item 6		\$4,740.00	\$90.00	\$1,710.00	\$1,760.00	
Bid Item 7		\$103,392.00	\$4,604.18	\$87,479.33	\$88,852.50	
Bid Item 8		\$27,252.00	\$954.00	\$18,126.00	\$18,000.00	
Bid Item 9		\$53,420.40	\$2,186.80	\$41,549.20	\$41,393.00	
Bid Item 10		\$30,000.00	\$98,500.00	\$98,500.00	\$86,200.00	
	\$570,035.50	\$1,082,541.40	\$1,115,929.23	\$696,642.78	\$1,914,733.00	\$53,917.50
% PERFORMED	34.49%	85.51%	61.97%	38.43%	97.26%	2.74%
	100.00%		100.00%		100.00%	

See Contract Specifications, Part 1 page 9

**Sect 2-3 Subcontracts**

2-3.2 Additional Responsibility Add

(p 9) Unless "Specialty Items" are designated by the Engineer in the Bid Proposal, the following items will qualify as "Specialty Items", providing they are identified by the bidder in the Bid Proposal(s) and their total cost does not exceed fifty percent (50%) of the contract cost.  
 Iron or steel, irrigation, landscaping, masonry, pavement markings and striping, pre-cast paving units, sewer, stamped concrete, street lights, traffic signals and water facility.