



## REPORT TO CITY COUNCIL

**Approved by:**

Jamie Hickman  
Jamie Hickman, Interim Public Works Director  
Arnoldo Rodriguez  
Arnoldo Rodriguez, City Manager

**Council Meeting of:** March 15, 2023

**Agenda Number:** D-1

**SUBJECT:**

Rejection of bids received for the Invitation for Bids (IFB) 202122-06 (Sidewalk Repairs)

**RECOMMENDATION:**

Approve a resolution rejecting the single bid received for IFB 202122-06 and authorizing the City to perform the project with City staff

**SUMMARY:**

On April 29, 2022, the City had a bid opening for IFB 202122-06, sidewalk repairs in various locations. The City received one bid that far exceeded the available funding amount. Thus, staff is recommending that the Council reject all bids and have the project completed by City staff.

**DISCUSSION:**

On July 21, 2021, the Council awarded the Public Works Department a \$500,000 grant as part of the Community Development Block Grant (CDBG) program. The City applied for a grant to repair sidewalks in low-income neighborhoods. It was estimated that approximately 18,569 square feet of sidewalk and 1,364 linear feet of curb and gutter could be repaired.

On March 30, 2022, staff advertised IFB 202122-06 soliciting bids for sidewalk repair per the California Public Contract Code (PCC) and the City's purchasing policy. On April 29, 2022, staff received one bid that far exceeded the engineer's estimate and budgeted amount of \$480,000.

Table 1: Overview of Bid and Estimate	
Bidder	Amount of Bid
Estimate	\$480,000
FBD Vanguard Construction, Inc.	\$1,927,558

Under PCC 22038, the City is allowed to reject all bids, with the requirement that the City furnishes a written notice to the apparent low bidder at least two days before Council action. Purchasing issued such notice to FBD Vanguard Construction on March 10, 2023.

Under PCC 22038, the City has the following options:

1. Abandoning the project or readvertising for bids.
2. By passage of a resolution by a four-fifths vote of its governing body declaring that the project can be performed more economically by the employees of the public agency may have the project done by force account without further complying with this article.

It is noted that the City's bid documents also state that the City reserves the right to reject or accept any or all bids for any reason.

Due to budget constraints, staff requests authorization to reject all bids received and perform the project using City staff, providing a better value to the City. Upon rejection of the bid, subject to the weather, staff will commence immediately. Staff expects to repair the identified work as initially envisioned, barring any unforeseen major setbacks.

It is noted that this grant will not allow for new or missing sidewalks, rather it is for the repair of buckled and cracked sidewalks and the needs of the City far exceed the amount of available funding. Regardless, staff will attempt to repair as much sidewalk as feasible.

#### **FINANCIAL IMPACT:**

Attached is a comparison of what the City's Engineer estimates should be, the cost per category, and what the sole bidder would charge the city. If City staff works on the project, overhead costs such as mobilization, bonds, insurance, and permits are not an issue, as well as traffic control, signage, and detours, as the City is not required to meet these requirements or the city is already in possession of the items. Other categories, such as clearing and grubbing, demolition, removal and disposal, show significant discrepancies.

#### **ALTERNATIVES:**

As an alternative, Council may:

1. Deny the request to reject the bid received and award to FBD Vanguard Construction.
2. Reject the bid received and readvertise the project.

#### **ATTACHMENTS:**

1. Resolution to reject all bids and direct city staff to complete the project
2. Notice of Bid Rejection
3. Bid analysis

## **Attachment 1**

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,  
CALIFORNIA REJECTING ALL BIDS FOR CITY OF MADERA IFB 202122-06  
SIDEWALK REPAIR VARIOUS LOCATIONS, CDBG**

**WHEREAS**, the City of Madera("City") was awarded funds from the from the Community Block Development Grant to improve the City's sidewalks; and

**WHEREAS**, bid documents entitled City of Madera IFB 202122-06 Sidewalk Repair Various Locations , CDBG, were prepared and advertised as required by the California Public Contracts Code; and

**WHEREAS**, the only bid received was for \$1,927,548 which was greater than the authorized to not exceed amount of \$500,000 for the City Council to award a construction contract Per City Council resolution; and

**WHEREAS**, under the California Public Contracts Code and Municipal Code, the Council may in lieu of awarding reject all bids and abandon the project, readvertise the project, or have the project performed by City staff; and

**WHEREAS**, Public Works staff is recommending that the City Council reject all bids for the entitled City of Madera IFB 202122-06 Sidewalk Repair Various Locations, CDBG and have the project performed by City staff to not surpass the limit of \$500,000.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY** finds, orders, and resolves as follows:

1. The above recitals are true and correct.
2. The City Council of the City of Madera rejects all bids received for the City of Madera IFB 202122-06 Sidewalk Repair Various Locations , CDBG .
3. The City Council directs the staff of the City of Madera's Department of Public works to complete the project and to not exceed the amount of \$500,000.
4. This resolution is effective immediately upon adoption.

\* \* \* \*

## **Attachment 2**



March 10, 2023

**FBD VANGUARD CONSTRUCTION  
550 GREENVILLE ROAD  
LIVERMORE, CA 94550**

**SUBJECT: Rejection of Bids, IFB 202122-06 Sidewalk Repair Various Locations, CDBG**

Dear FBD Vanguard Construction:

The City has made a determination to reject all bids received on April 29, 2022 for IFB 202122-06 Sidewalk Repair Various Locations, CDBG. Bid bonds submitted with bids will be returned to bidders.

Sincerely,

Jennifer Stickman  
Procurement Services Manager

City of Madera Purchasing Division, 205 East 4<sup>th</sup> Street, Madera, CA 9363

### **Attachment 3**

	Description	Unit	Quantity	ESTIMATED COST		FBD VANGUARD CONSTRUCTION, INC.		
				Unit Cost	Cost	Unit Cost	Cost	More/Less than Estimate
	<b>BID SCHEDULE</b>							
1	MOBILIZATION, BONDS, INSURANCE, & PERMITS	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	0%
2	TRAFFIC CONTROL, SIGNAGE, & DETOURS	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 50,000.00	\$ 50,000.00	400%
3	WPCP/DUST CONTROL	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 2,500.00	\$ 2,500.00	-38%
4	CLEARING & GRUBBING, DEMOLITION, REMOVAL, & DISPOSAL	LS	1	\$ 55,000.00	\$ 55,000.00	\$ 602,123.00	\$ 602,123.00	995%
5	CONCRETE SIDEWALK (6 SACK)	SF	18570	\$ 8.00	\$ 148,556.00	\$ 10.00	\$ 185,695.00	25%
6	ASPHALT (TYPE B)	TON	60	\$ 250.00	\$ 15,000.00	\$ 671.00	\$ 40,260.00	168%
7	CONCRETE CURB & GUTTER (6 SACK)	LF	1364	\$ 25.00	\$ 34,100.00	\$ 60.00	\$ 81,840.00	140%
8	TREE REMOVAL WITH STUMP GRIND	EA	82	\$ 1,500.00	\$ 123,000.00	\$ 1,165.00	\$ 95,530.00	-22%
9	CONCRETE ADA TRUCATED DOMES (IN NEW CONCRETE - 6 SACK)	EA	102	\$ 500.00	\$ 51,000.00	\$ 7,800.00	\$ 795,600.00	1460%
10	CONCRETE ADA TRUNCATED DOMES (IN EXISTING CONCRETE - 6 SACK)	EA	7	\$ 200.00	\$ 1,400.00	\$ 7,000.00	\$ 49,000.00	3400%
11	MISCELLANEOUS FACILITIES & OPERATIONS	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 10,000.00	\$ 10,000.00	-50%
					<b>477,056.00</b>		<b>1,927,548.00</b>	<b>304%</b>