



CONSENT CALENDAR
May 28, 2019

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Phillip L. Harrington, Director, Public Works
Subject: Reject Bids and Negotiate in the Open Market for the Public Safety Building Envelope Repair Project, Specification No. 18-11263-C

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to reject bids and direct staff to negotiate in the open market for construction work associated with the Public Safety Building Envelope Repair Project, Specification No. 18-11263-C in accordance with Article XI, Public Works and Supplies, Section 67 (a.) of the City Charter.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available from the Capital Improvement Fund. There are no fiscal impacts until a contract is negotiated, but the estimated budget is \$139,066.

CURRENT SITUATION AND ITS EFFECTS

The Public Safety Building Envelope Repair Project was advertised for bids on August 16, 2018, and the bid opening was on September 13, 2018. One bid of \$178,000 was received from Ashron Construction and Restoration, Inc. (Ashron). The bid amount submitted by Ashron exceeds the City's construction budget of \$139,066. Staff believes the project can be negotiated in the open market in accordance with the City Charter Article XI, Public Works and Supplies, Section 67(a.).

BACKGROUND

The Public Safety Building has had a long history of water intrusion along the south wall, which causes water damage in the affected area. Comprehensive inspections and leak investigations were performed in June 2016. The investigations determined the leak source to be defective plastic cement finish around the windows and the main door. Public Works staff worked with a consultant to develop a leak repair design to address this issue.

The Public Safety Building leak repair project is part of the Strategic Plan. This project supports the Strategic Plan goals of creating a resilient, safe, connected, and prepared city and state-of-the-art, well-maintained infrastructure, amenities, and facilities.

ENVIRONMENTAL SUSTAINABILITY

There are no anticipated negative environmental effects of this action. The leak upgrades will reduce energy consumption due to improved insulation of the walls and windows.

RATIONALE FOR RECOMMENDATION

The City cannot accept the bid from Ashron Construction and Restoration because it exceeds the City's cost estimate and entire budget for the project. The City does not have the available in-house work force to perform the construction services required for this type of project.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

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Elmar Kapfer, Supervising Civil Engineer, Public Works (510) 981-6435

Attachments:

1. Resolution

RESOLUTION NO. ##,###-N.S.

REJECT BIDS AND NEGOTIATE IN THE OPEN MARKET FOR THE PUBLIC SAFETY BUILDING ENVELOPE REPAIR PROJECT, SPECIFICATION NO. 18-11263-C

WHEREAS, the Public Safety Building Envelope Repair Project is necessary to address the leaks at south wall of the Public Safety Building; and

WHEREAS, the City does not have the in-house labor necessary to construct the Public Safety Building Envelope Repair Project; and

WHEREAS, plans and specifications were released for bid on August 16, 2018, and on September 13, 2018 one bid was received, which exceeded the City's cost estimate and available budget for the project; and

WHEREAS, staff is recommending Council reject the one bid, and authorize the City Manager to negotiate the project in the open market in accordance with the City Charter Article XI, Public Works and Supplies, Section 67(a); and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the bid received for Specification No.18-11263-C, Public Safety Building Envelope Repair Project is rejected.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to negotiate on the open market with contractors for the Public Safety Building Envelope Repair Project.

