

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

October 6, 2008

CALL TO PODIUM:

Peter Geiling

RESPONSIBLE STAFF:

Peter Geiling
James D. Arnoult

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
<input checked="" type="checkbox"/>	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:
Resolution of the Mayor and City Council Rejecting All Bids for the Public Works Water Penetration Project, and Authorizing the City Manager to Negotiate and Execute a Contract With the Lowest Responsive and Responsible Bidder (\$230,000)

SUPPORTING BACKGROUND:

Request: The Mayor and City Council reject all bids for the Public Works Water Penetration Project and authorize the City Manager to negotiate and execute a contract with the lowest responsive and responsible bidder, Standard Restoration & Waterproofing Company, Inc.

Background: The project was bid on July 9, 2008. A pre-bid conference was held on July 25, 2008 and two bids were received on August 25, 2008. One bid was deemed unresponsive.

The only responsive and responsible bid was \$851,000 nearly four times the January 3, 2008 City consultant estimate of \$215,332. The discrepancy is primarily due to requirements for sheathing and shoring not originally included in the estimate. Also, construction labor and material costs have increased since January. In an effort to address the areas of the Public Works Building in most urgent need of repair, staff requested the contractor provide a phasing plan whereby the sixty feet of visible building frontage will be completed in FY 2009 at a cost of \$209,800 with a construction contingency of \$20,200, totaling \$230,000. City staff will include a contract provision allowing an extension of the contract for future additional work, which will require City Council's approval at such time services are requested.

Recommendation: City staff recommends the City Council reject all bids and authorize the City Manager to negotiate and execute a contract with Standard Restoration & Waterproofing Company, Inc. in the amount of \$230,000.

Fiscal Impact: Phase I of the project is being funded through Capital Improvements Projects (CIP) budget. Phase II will only proceed if approved in the FY 2010 budget.

DESIRED OUTCOME:
Vote on Resolution

Resolution Request Form

REQUEST FORM FOR RESOLUTIONS PERTAINING
TO EXPENDITURES FROM THE CITY BUDGET
(CONTRACTS/PURCHASES, TRANSFER FUNDS)

(Please attach the Mayor and Council Agenda Cover Sheet to this Form. For contracts/purchases, the Cover Sheet MUST include a list of all bidders and bid amounts.)

Requested by: Peter Geiling Date of City Council Meeting: October 6, 2008

AUTHORIZING

Purchase _____ Award Contract _____ Transfer Funds _____ Negotiate / Execute a Contract X

RFP INFORMATION:

Advertisement Date July 9, 2008

Newspaper(s) Washington Post

Bids Received (date) August 25, 2008

DESCRIPTION OF ITEM(S):

(Be specific; include quantity, item name, model number, etc.)

Reject bids for the Public Works Water Penetration Project IFB no. 2009-004. Negotiate and execute a contract with lowest responsible and responsive bidder.

CONTRACTED/PURCHASE FROM:

Company Name: Standard Restoration & Waterproofing Company, Inc.

Street Address: 4749-A Clifton Road

P. O. Box Number: _____

City/State/Zip: Temple Hills, MD 20748

CONTRACT/PURCHASE AMOUNT: _____

Check One: In the Estimated Amount of X Not to Exceed _____

FUNDS TO BE EXPENDED FROM: Operating Budget _____ Capital Improvements Budget ✓

When contract has been negotiated, funds will be allocated from Acct. No. 3349 – 594000 – 98-1 Facilities Projects (\$170,000) and 72-2 for Public Works Facility Project (\$60,000).

(For Finance Department use only; not to be included in the Resolution)

VERIFICATION OF AVAILABILITY OF FUNDS Available _____ Not available _____

Finance Dept. _____ Date _____

RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND CITY COUNCIL REJECTING ALL BIDS FOR THE PUBLIC WORKS WATER PENETRATION REPAIR PROJECT, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH THE LOWEST REponsive AND RESPONSIBLE BIDDER

WHEREAS, an Invitation For Bid (IFB) for Construction Services for the Public Works Water Penetration Project was duly advertised in the July 9, 2008 issue of the *Washington Post*, and bids were received on August 25, 2008 from two companies; and

WHEREAS, one of the two bids was deemed non-responsive; and

WHEREAS all bids were substantially above the City's construction budget; and

WHEREAS, the Mayor and Council has rejected all bids and authorize the City Manager to negotiate and execute a contract with the lowest responsive and responsible bidder:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Gaithersburg, that the City Council hereby rejects all bids and hereby authorizes the City Manager to negotiate and execute a contract for Construction Services for the Public Works Water Penetration Project with Standard Restoration & Waterproofing Company, Inc, 4749-A Clifton Road, Temple Hills, Maryland 20748, in the estimated amount of Two Hundred Nine Thousand Eight Hundred Dollars (\$209,800), with a Twenty Thousand Two Hundred Dollars (\$20,200) construction contingency for a total amount of Two Hundred Thirty Thousand Two Hundred Dollars (\$230,000); said funds to be expended from the Capital Improvements Budget.

ADOPTED by the Mayor and City Council this 6th day of October, 2008.

SIDNEY A. KATZ, MAYOR and
President of the Council

THIS IS TO CERTIFY that the foregoing Resolution was adopted by the City Council in public meeting assembled on the 6th day of October, 2008.

Angel L. Jones, City Manager