

CITY COUNCIL REGULAR SESSION

Motion to reject the bid from Global Contractors LLC and award Bid No. 22045 for 108th Avenue NE and NE 6th Street and 110th Avenue NE and NE 6th Street Raised Intersections Project (CIP Plan Nos. PW-R-182, CD-44 and W-16) to Gary Merlino Construction Co. as the lowest responsive and responsible bidder, in the amount of \$4,801,545.00, plus all applicable taxes.

Andrew Singelakis, Transportation Director, 452-6468

Maher Welaye, Assistant Director, 452-4879

Chris Masek, Design Engineering Manager, 452-4619

Transportation Department

EXECUTIVE SUMMARY

This Motion will reject the bid from Global Contractors LLC and award Bid No. 22045 to Gary Merlino Construction Co. for the 108th Avenue NE and NE 6th Street and 110th Avenue NE and NE 6th Street Raised Intersections Project.

RECOMMENDATION

Move to reject the bid from Global Contractors LLC and award Bid No. 22045 for the 108th Avenue NE and NE 6th Street and 110th Avenue NE and NE 6th Street Raised Intersections Project to Gary Merlino Construction Co.

BACKGROUND/ANALYSIS

On December 14, 2017, Council approved Ordinance No. 6396 adopting the Downtown Transportation Plan – Downtown Subarea Plan (DTP-DSP, 17-120230 AC) 2017 amendments to the Comprehensive Plan.

The 108th Avenue NE and NE 6th Street and 110th Avenue NE and NE 6th Street Raised Intersections Project implements the Downtown Transportation Plan objective to improve the pedestrian environment and make walking the easiest way to get around Downtown. These projects along the Grand Connection are at key intersections that will contribute to the vision of continuous pedestrian and bicycle facilities between the Eastrail and Meydenbauer Bay.

These raised intersections will improve access for pedestrians and ADA accessibility to the Bellevue Transit Center and to the downtown East Link Light Rail Station. Residents in nearby high-rises, workers in office buildings, and visitors to Downtown hotels, restaurants and retail businesses will benefit from this project. The project will improve pedestrian access and safety by calming vehicle traffic on 108th Avenue NE and 110th Avenue NE.

This project will enhance the intersection by elevating the entire intersection to the level of the sidewalk, incorporating colored pavement, and upgrading traffic signal systems.

Following verification of bid submittals, the bids received were as follows:

Global Contractors, LLC	\$3,601,142.00
Gary Merlino Construction Co.	\$4,801,545.00
Interwest Construction, Inc.	\$5,078,305.00
Goodfellow Bros.	\$5,237,720.00
Active Construction, Inc.	\$5,258,258.00
Fury Site Works, Inc.	\$5,271,582.93
Laser Underground & Earthworks	\$5,356,497.50
Midmountain Contractors, Inc.	\$5,691,050.00
Kamins Construction	\$6,029,597.71
Engineer's Estimate	\$3,806,130.00

The project sites are located at the intersections of NE 6th Street and 110th Avenue NE and NE 6th Street and 108th Avenue NE which are on both ends of the of the downtown Bellevue Transit Center. The project was designed in close cooperation with King County Metro Transit and Sound Transit with work hours and intersection closures negotiated and evaluated to complete the work with the least impact to the public.

City staff thoroughly reviewed the references provided by the low bid contractor Global Contractors LLC. The references provided did not include projects with direct relevant experience related to the short closure periods and coordination with multiple adjacent large downtown development projects. When City staff interviewed Global, the contractor indicated that they could not complete the work within the work hours and intersection closures established by the contract specifications.

City staff subsequently interviewed the second low bid contractor Gary Merlino Construction to determine if they could complete the work as bid. In that meeting, Merlino Construction assured staff that they can complete the work within the work hours and intersection closures provided in the contract specifications. They backed up their assertion with preliminary schedules and phasing plans that they prepared to assist in preparing their bid. Staff then interviewed Global Contractors a second time to revisit their plan and schedule for completing the project. Global's president restated that he believes it is impossible for them or any other firm to complete the project within the work hour constraints and intersection closures contained in the bid documents.

Based on the evaluation of the first and second low bids, staff recommends rejecting the low bid of Global Contractors LLC and awarding the bid to the second low bid Gary Merlino Construction.

To the best of our knowledge and professional judgment, all factors that typically contribute to construction expenses have been accounted for in the Plans, Specifications and Estimates. Based on our experience, projects of this type may result in some field changes. All claims are rigorously reviewed and only those that are clearly necessary to accomplish the intent of the contract, but have not previously been provided for, will be paid.

POLICY & FISCAL IMPACTS

Policy Impact

Downtown Subarea Plan Policies:

- S-DT-39. Design and manage the Downtown streets to provide mobility and to promote a safe, attractive environment.
- S-DT-45. Continue to develop and implement the Grand Connection vision as a major unifying feature for Downtown Bellevue through public- and private-sector investments.
- S-DT-45.1 Implement design components and wayfinding along the Grand Connection to create an accessible and intuitive multimodal connection for users of all abilities.
- S-DT-138.4 Improve the pedestrian and bicycling environment for access to the two light rail stations that serve Downtown, particularly between the Bellevue Transit Center and the nearby Bellevue Downtown station.
- S-DT-159. Provide for intersections that incorporate “standard”, “enhanced” or “exceptional” design components.

Exceptional intersections may include a pedestrian scramble signal phase, raised crossings, and significant landmark wayfinding such as the popular kiosks that are located throughout Downtown. Exceptional intersections design features incorporated in the crossing of 110th Avenue NE at NE 6th Street will create a near seamless connection between the Transit Center and the light rail station.

Fiscal Impact

Awarding this bid will obligate the City to \$4,801,545.00, plus all applicable taxes, for the 108th Avenue NE and NE 6th Street and 110th Avenue NE and NE 6th Street Raised Intersections Project (CIP Plan Nos. PW-R-182, CD-44 and W-16). This amount is approximately 26 percent over the Engineer’s Estimate. The main drivers of the higher projects costs for this project come from higher material costs, a constrained work site and the limitations of closures to perform the work and minimize disruptions to the public.

Sufficient funding exists in the 2021-2027 General CIP (CIP Plan Nos. PW-R-182, CD-44 and W-16) to fully fund this contract as follows:

CIP Plan No.	Description	Amount
PW-R-182	Downtown Transportation Plan/Exceptional Light Rail Access	\$2,869,936.00
CD-44	Grand Connection Implementation	1,500,644.00
W-16	Small Diameter Water Main Replacement	430,965.00
	Total Funding	<u>\$4,801,545.00</u>

OPTIONS

1. Award Bid No. 22045 for the 108th Avenue NE and NE 6th Street and 110th Avenue NE and NE 6th Street Raised Intersections Project (CIP Plan Nos. PW-R-182, CD-44 and W-16) to Gary Merlino Construction Co. as the lowest responsive and responsible bidder in the amount of \$4,801,545.00, plus all applicable taxes.
2. Reject all bids and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Vicinity Map
- B. Project Description (PW-R-182)
- C. Project Description (CD-44)
- D. Project Description (W-16)

AVAILABLE IN COUNCIL LIBRARY

Final Design Plans