

## CITY COUNCIL REGULAR SESSION

Motion to reject the bid protest of Award Construction and award Bid No. 22006 for 2022 Crosswalk Improvements (CIP Plan No. PW-R-199) to Kamins Construction as the lowest and responsive bidder, in the amount of \$1,758,086.20, plus all applicable taxes. This project is fully funded by the Neighborhood Safety, Connectivity and Congestion Levy.

Andrew Singelakis, Transportation Director, 452-6468  
Maher Welaye, Assistant Director, 452-4879  
Chris Masek, Design Engineering Manager, 452-4619  
Daniel Lam, Design Project Manager, 452-2063  
*Transportation Department*

## EXECUTIVE SUMMARY

This motion will reject the bid protest and award Bid No. 22006 to Kamins Construction for 2022 Crosswalk Improvements.

## RECOMMENDATION

Move to reject the bid protest of Award Construction and award Bid No. 22006 for 2022 Crosswalk Improvements to Kamins Construction.

## BACKGROUND/ANALYSIS

In November 2016, residents of Bellevue approved the Neighborhood Safety, Connectivity and Congestion Levy. The Neighborhood Safety and Connectivity component (CIP Plan PW-R-199) of the Levy funds five project types including safety, sidewalks, bicycle facilities, intelligent transportation systems and maintenance. This program addresses Council's desire to address a backlog of projects, including new crosswalks and safety improvements. The City has a backlog of crosswalk safety improvements that have been identified at various locations around the City.

This project will upgrade existing crosswalks with new curb ramps, install new rectangular rapid flashing beacon (RRFB) crosswalk systems, and upgrade LED streetlights at the following seven locations:

- Forest Drive SE and Somerset Drive SE
- Forest Drive SE and Highland Drive SE
- Forest Drive SE and SE 60<sup>th</sup> Street
- Forest Drive SE and 142<sup>nd</sup> Avenue SE
- Forest Drive SE and SE 63<sup>rd</sup> Street
- 160<sup>th</sup> Avenue SE and SE 33<sup>rd</sup> Street
- 160<sup>th</sup> Avenue SE and 158<sup>th</sup> Avenue SE

The existing curb ramps will be removed and reconstructed to meet the current ADA standards. The new RRFB crosswalk systems provide a safe pedestrian crossing across the roadway. New street lighting installations and upgrades will bring lighting levels up to current standards and improve the visibility and safety for all users of the roadway.

This project will also construct new crosswalks at three locations:

- Forest Drive SE and 152<sup>nd</sup> Avenue SE
- 140<sup>th</sup> Place SE and SE 24<sup>th</sup> Street
- 140<sup>th</sup> Place SE and SE 20<sup>th</sup> Street

These new crosswalk locations will provide a safer place for pedestrians to cross. The new crosswalks include new curb ramps, pavement markings, signs, RRFB crosswalk systems, and LED streetlights.

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

Kamins Construction	\$1,758,086.20
Westwater Construction Co	\$1,877,780.00
Award Construction	\$1,999,036.00
Active Construction Inc	\$2,070,070.00
Northwest Cascade, Inc	\$2,151,851.00
<b>Engineer's Estimate</b>	<b>\$1,999,050.00</b>

On January 31, 2022, staff received a formal bid protest from Award Construction contending that the low bid (Kamins Construction) had some unbalanced unit prices, and the bid should be considered not responsible.

After a thorough review of the contractor's bid, qualifications, background, references, and experience on previous City projects, staff believes that the bid from Kamins Construction is responsible, meets the requirements of the project specifications, and that they are capable of performing the work per the plans and specifications. Staff recommends awarding the contract to Kamins Construction as the lowest responsible and responsive bidder.

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**

#### Comprehensive Plan

- Policy TR-26. Design, implement, and maintain transportation system improvements and deliver transportation services and programs in accordance with the Americans with Disabilities Act (ADA).
- Policy TR-53. Maintain and enhance safety for all users of the roadway network.
- Policy TR-56. Provide street lighting where needed and appropriate based on neighborhood context to improve visibility and safety while minimizing light/glare spillover.
- Policy TR-103. Promote and facilitate walking and bicycling.

- Policy TR-116. Improve the opportunities for pedestrians to safely cross streets at intersections and designated mid-block locations.

### **Fiscal Impact**

Awarding this bid will obligate the City to \$1,758,086.20, plus all applicable taxes, to construct new curb ramps and to install new RRFB crosswalk systems. This amount is approximately 12 percent below the Engineer's Estimate. Sufficient funds exist in the 2021-2027 General CIP Plan to fully fund this contract through the Neighborhood Safety and Connectivity Levy (CIP Plan No. PW-R-199).

### **OPTIONS**

1. Reject the bid protest of Award Construction and award Bid No. 22006 for 2022 Crosswalk Improvements (CIP Plan No. PW-R-199) to Kamins Construction as the lowest responsible and responsive bidder, in the amount of \$1,758,086.20, plus all applicable taxes.
2. Award the bid to the next lowest bidder if the low bidder is not responsive.
3. Reject all bids and provide alternative direction to staff.

### **ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Vicinity Map
- B. Project Description (PW-R-199)

### **AVAILABLE IN COUNCIL LIBRARY**

Final Design Plans