

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Motion to reject all bids for Bid No. 16007 for West Tributary Kelsey Creek Drainage Master Plan (DMP) 165 Restoration, CIP Plan No. D-104, and call for bid at a later date.

FISCAL IMPACT

Rejecting this bid does not commit the City to a contract; however, the City would lose approximately \$2,500 in labor, printing, and advertising costs.

If awarded, this bid would commit the City to a contract of \$136,453.43. Sufficient budget exists within the Utility's Stream Restoration for Mobility & Infrastructure Initiative (CIP Plan No. D-104) to fully fund this contract.

STAFF CONTACT

Nav Otal, Director, 452-2041

Paul A. Bucich, Assistant Director of Engineering, 452-4596

Utilities Department

POLICY CONSIDERATION

Utilities Department policies:

- The Utility shall own and maintain all elements of the storm drainage system in the right-of-way and in easements or tracts dedicated to, and accepted by, the Utility.
- The Utility Department shall identify drainage capital projects that prevent or reduce flooding or property damage, protect or improve water quality, and maintain or improve the reliability and integrity of the drainage system.

Utilities Department practice:

- This ongoing program is for stormwater improvements associated with the Mobility and Infrastructure Initiative (which seeks to address high priority mobility and infrastructure needs in Downtown Bellevue and in the BelRed Corridor). These funds are to restore streams for recreation and environmental health through the BelRed corridor, and to encourage redevelopment of the area. CIP Plan No. D-104 has been designated to do this.

City contracting policies:

- Bellevue City Code section 4.28.040 requires the City to competitively bid public works in accordance with the Code and state law. Council approval is required to award or reject the bid where the cost exceeds \$90,000.

BACKGROUND

The West Tributary Regional Detention Facility is located on the West Tributary of Kelsey Creek, east of 124th Avenue N.E. midway between BelRed Road and Northup Way. This facility was constructed as part of the 1976 Drainage Master Plan in 1982. The purpose of the facility is to provide flood control and water quality treatment for areas downstream of this facility. The regional facility currently

contains substantial invasive weeds. It lacks diverse habitat and cover for aquatic life. The proposed project will improve the environmental and aesthetic functions of the publicly-owned stream. This would also provide an amenity for the area and help developers recognize a thriving stream corridor as an asset for their projects.

This project is a part of the long-term “Great Streams” strategy for the Bel-Red Corridor. Trails, passive recreation areas, environmental education, and stormwater management are among the uses envisioned for the West Tributary under the “Great Streams” strategy.

Specifically, this construction project will enhance the West Tributary through the regional detention facility by removing invasive vegetation and restoring riparian vegetation.

Bids were opened on June 1, 2016 and are as follows:

W.S. Contractors, LLC	\$136,327.50*
Accord Contractors	136,453.43
Green Earthworks Construction	146,152.94
Engineer's Estimate	\$103,499.35

*W.S. Contractors, LLC was initially the apparent low bidder. However, this bid included a mobilization/demobilization bid item that was over the 5% maximum limit. After consulting with the City Attorney’s Office, Utilities determined the bid was non-responsive and non-responsible.

Upon examination of the bids, it was determined that some of the bid item prices received from each of the bidders were inordinately high. Upon review of the bid documents and consultation with the design engineers, staff believe that there was a misinterpretation of the specifications that led to the high bids on those items of work. Staff believe that bids more in keeping with the reasonable cost to complete this project can be achieved by rebidding the project with added clarity to the specifications. In addition, an opportunity for the bidders to meet on-site with City staff during the rebidding period will allow bidders to more fully understand the level of work required.

Staff recommend that the current bids be rejected and the project be rebid with the above modifications to the bid documents. Rebidding will likely result in lower bid prices and will still meet the project schedule by completing the planting work in the fall of 2016.

EFFECTIVE DATE

If adopted, this Motion becomes effective immediately upon adoption.

OPTIONS

1. Reject all bids for Bid No. 16007 for West Tributary Kelsey Creek Drainage Master Plan (DMP) 165 Restoration, CIP Plan No. D-104, and call for bid at a later date.
2. Award low bidder.
3. Award contract to another bidder, if low bidder is rejected.

RECOMMENDATION

Option No. 1.

MOTION

Move to reject all bids for Bid No. 16007 for West Tributary Kelsey Creek Drainage Master Plan (DMP) 165 Restoration, CIP Plan No. D-104, and call for bid at a later date.

ATTACHMENTS

Vicinity Map

CIP Project Description