

CITY COUNCIL REGULAR SESSION

Motion to reject the bid protest from R.W. Scott Construction and award Bid No. 20028 124th Avenue NE – NE 8th Street to NE 12th Street Safety Improvements (CIP Plan Nos. PW-R-190, PW-R-46, PW-R-156 and PW-M-1) to Kamins Construction as the lowest responsible and responsive bidder, in the amount of \$512,800.80, plus all applicable taxes.

Andrew Singelakis, Transportation Director, 452-6468
Ron Kessack, Assistant Director, 452-4631
Chris Masek, Design Engineering Supervisor, 452-4619
Daniel Lam, Design Project Manager, 452-2063
Transportation Department

EXECUTIVE SUMMARY

This motion will reject the bid protest from R.W. Scott Construction and award Bid No. 20028 to Kamins Construction for the 124th Avenue NE – NE 8th Street to NE 12th Street Safety Improvements.

RECOMMENDATION

Move to reject the bid protest from R.W. Scott Construction and award Bid No. 20028 124th Avenue NE – NE 8th Street to NE 12th Street Safety Improvements to Kamins Construction.

BACKGROUND/ANALYSIS

This project will construct and install safety improvements along 124th Avenue NE between NE 8th Street and NE 12th Street. The existing curb ramps and driveway approaches will be removed and reconstructed to meet the current ADA standards. Just south of the intersection of 124th Avenue NE and NE 10th Place, a new mid-block crossing will be installed with a rectangular rapid flashing beacon (RRFB) crosswalk to provide a new safe pedestrian crossing across 124th Avenue NE. New LED street lights will be installed along 124th Avenue NE to bring lighting levels up to current standards and improve the visibility and safety for all users of the roadway.

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

Kamins Construction	\$512,800.80
R. W. Scott Construction	\$557,520.25
Road Construction Northwest	\$562,993.00
Interwest Construction Inc.	\$564,564.00
Active Construction Inc.	\$566,566.00
NPM Construction Co.	\$647,944.50
Revolution Civil Builders	\$648,121.00
Diversified Holdings NW	\$650,314.56
Cascade Civil Construction	\$668,751.50

Westwater Construction Co.	\$690,375.00
Highland Civil	\$733,444.50
Engineer's Estimate	\$664,025.00

On October 2, 2020 staff received a formal bid protest from R.W. Scott Construction contending that the apparent lowest bidder, Kamins Construction, provided an irregular or unresponsive bid.

After a thorough review of the contractor's bid, qualification, background, previous project experience, and recent projects completed for the City, staff believes that Kamins Construction provided a responsive bid, meets the requirements of the project specifications, and is capable of performing the work per the plans and specifications.

Staff recommends award of this bid to Kamins 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

Comprehensive Plan

- TR-27. Design, implement, and maintain transportation system improvements and delivery transportation services and programs in accordance with the Americans with Disabilities Act (ADA).
- TR-53. Maintain and enhance safety for all users of the roadway network.
- TR-56. Provide street lighting where needed and appropriate based on neighborhood context to improve visibility and safety while minimizing light/glare spillover.
- 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 \$512,800.80, plus all applicable taxes, to make safety improvements to 124th Avenue NE – NE 8th Street to NE 12th Street. This amount is approximately 23 percent below the Engineer's Estimate. Sufficient funds exist in the 2019-2025 CIP to fully fund this contract as follows:

CIP Plan No.	Description	Amount
PW-R-190	124th Avenue NE - NE 8th Street to NE 12th Street	\$470,800.80
PW-R-46	Traffic Safety Improvements	25,000.00
PW-M-1	Overlay Program	2,000.00
PW-R-156	ITS Master Plan Implementation Program	15,000.00
Total Funding		<u>\$512,800.80</u>

OPTIONS

1. Reject the bid protest from R.W. Scott Construction and award Bid No. 20028, 124th Avenue NE – NE 8th Street to NE 12th Street Safety Improvements (CIP Plan Nos. PW-R-190, PW-R-46, PW-R-156 and PW-M-1) to Kamins Construction as the lowest responsible and responsive bidder, in the amount of \$512,800.80, plus all applicable taxes.
2. Award the bid to the next lowest bidder if the low bidder is rejected.
3. Reject all bids and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Vicinity Map
- B. CIP Project Description (PW-M-1)
- C. CIP Project Description (PW-R-46)
- D. CIP Project Description (PW-R-156)
- E. CIP Project Description (PW-R-190)

AVAILABLE IN COUNCIL LIBRARY

Final Design Plans