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**Title:** Reject all bids for the Cultural Arts District Park Project (Bid File No. 3384) (Council District 3)

**Sponsors:** Public Works Department

**Indexes:**

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**Attachments:** 1. 15-986 Bid Eval, 2. 15-986 Relief Letter

Date	Ver.	Action By	Action	Result
11/19/2015	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**November 19, 2015**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**THROUGH:** ROBERT N. ANDERSEN, PE, Assistant Director  
Public Works Department, Capital Management Division

**BY:** DEBBIE BERNARD, Project Manager  
Public Works Department, Facilities Management Division

**SUBJECT**

Reject all bids for the Cultural Arts District Park Project (Bid File No. 3384) (Council District 3)

**RECOMMENDATION**

Staff recommends that Council reject all bids for the Cultural Arts District Park Project (Project), and direct staff to re-bid the Project within thirty (30) calendar days.

**EXECUTIVE SUMMARY**

Staff recommends that Council reject all bids for the Project. All bids came in over the budget allocation. Following the rejection of the bids by the Council, staff will fast-track the re-bidding of the Project.

## **BACKGROUND**

The Project is being funded by a \$2.5 million grant that was awarded to the City of Fresno from the Proposition 84 Statewide Park Development and Community Revitalization Program. The property, located on the west side of Fulton Street north of Calaveras Street, was previously acquired and cleared by the City. The demolition contract was awarded on June 5, 2014 and the notice of completion was filed on February 27, 2015.

On January 9, 2014, Council approved an agreement with O'Dell Engineering for the preparation of plans and general construction contract documents for the construction of the Cultural Arts District Park. Plans and specifications were developed and a Notice Inviting Bids was published in the Business Journal on August 14, 2015, and posted on the City's website and faxed to ten (10) building exchanges. The specifications were distributed to sixteen (16) prospective bidders. Six (6) sealed bid proposals were received and opened in a public bid opening on October 9, 2015, with the bids ranging from \$1,019,427 to \$1,390,716 for the Total Net Base Bid.

The apparent lowest bidder requested relief from their bid due to a clerical error they made during the bidding process. Therefore, the lowest responsive and responsible bid calculated out to be 15.7% above the Engineer's Estimate for this scope of work. After review of all bids it was determined to modify the project specifications to allow the bids to come in within the Project's construction budget.

Staff recommends that Council reject all bids received on October 9, 2015, for the Project and direct staff to revise the construction specifications and re-bid the Project within thirty (30) calendar days.

## **ENVIRONMENTAL FINDINGS**

Rejecting all bids does not meet the definition of a "project" as defined by the California Environmental Quality Act.

## **LOCAL PREFERENCE**

Local preference was not implemented because staff is requesting to reject all bids.

## **FISCAL IMPACT**

Implementation of the staff recommendation will have no impact upon the City's General Fund as staff is requesting Council reject all bids.

Attachments:  
Bid Evaluation  
Request for Relief