



## Legislation Details (With Text)

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**Title:** Reject all bids for Ready Mix Concrete material requirements contract (Bid File 9619)  
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**Attachments:** 1. 22-201 Bid Evaluation

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2/10/2022	1	City Council	ADOPTED	Pass

## REPORT TO THE CITY COUNCIL

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## SUBJECT

Reject all bids for Ready Mix Concrete material requirements contract (Bid File 9619)

## RECOMMENDATION

Staff recommends that the City Council reject all bids for Ready Mix Concrete material requirements contract and direct staff to rebid the contract.

## EXECUTIVE SUMMARY

The Street Maintenance Division of the Public Works Department is seeking a requirements contract to procure Ready Mix Concrete materials for use by City crews on various street maintenance and concrete repair projects throughout the city. The prior contract is set to expire, so the City rebid the contract so that the ready mix material supply would be uninterrupted. Two bids were received and were opened in a public bid opening on November 23, 2021. One of the bids was disqualified due to incompleteness. The second bid was evaluated by staff and was determined that the bidder did not meet contract specifications and requirements. Staff recommends that City Council reject all bids and direct staff to re-bid the Ready Mix Concrete contract.

## BACKGROUND

The City currently has a Ready Mix Concrete material requirements contract that expires on February 23, 2022. Public Works sought to rebid the contract so that ready mix material supply would not be interrupted, and the City concrete crews will continue to have supply. A notice inviting bids was advertised in The Business Journal and the City's Planet Bid website on October 29, 2021. The notice inviting bids was received by 7 building exchanges and distributed to 5 prospective bidders. 2 sealed bids were received and publicly opened by the Purchasing Division on November 23, 2021. One of the bids did not include the required bid deposit, was deemed incomplete, and disqualified prior to staff receiving the formal evaluation form. The second bid, received from Rehak General Engineering, was deemed to be a complete bid package. However, it was determined by staff that the bidder did not meet the requirements laid out in the contract for the following reason:

Per the Technical Specifications on page 78, the contract requires that "Portland Cement Concrete shall be 6 sack concrete in conformance with Section 90, "Concrete," of the State Standard Specifications with a maximum slump of four (4) inches." In a cover letter provided by the vendor, the cement trucks described by the vendor would not meet these standards.

In addition, with the proposed process described in their cover letter, the vendor would not be able to meet the City's quantity and time frame needs. The vendor indicated they would be expanding operations by acquiring a third truck to service the City. The vendor also described a 3-truck strategy which would be able to service a single site at a time. However, the City requires a vendor with the resources to service 6 sites simultaneously since the City has 6 independent concrete crews working 6 separate locations on a daily basis.

Staff recommends that Council reject all bids, and direct staff to re-bid the Ready Mix Concrete contract. The current Ready Mix Concrete contract expires February 23, 2022. Purchasing can issue a short-term extension to allow time to rebid the Ready Mix Concrete contract, without impacting crew production.

The City Attorney's Office has reviewed and approved to form.

## ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines, Section 15378, the rejection of all proposals does not qualify as a 'project' as defined by the CEQA requirements.

## LOCAL PREFERENCE

Local preference was not considered as staff is recommending to reject all proposals.

## FISCAL IMPACT

A rejection of all proposals will result in additional staff costs to rebid the project. The adopted operating budget for the Public Works Department has sufficient funding to cover the additional staff hours needed in order to rebid the project.

Attachment:  
Bid Evaluation