POULSBO DISTRIBUTION SCHEDULE

RESOLUTION NO. 2010-02

SUBJECT: Mesford Sidewalk Improvements & Overlay Project Award

CONFORM AS TO DATES & SIGNATURES

(X) Filed with the City Clerk: 12/29/2009
(X) Passed by the City Council: 01/06/2010
(X) Signature of Mayor
(X) Signature of City Clerk
(X) Publication: N/A
(X) Effective: 01/06/2010

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City Clerk

January 8, 2010
Date

Blue

RESOLUTION NO. 2010-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, REJECTING THE BID OF CONSTRUCT COMPANY, LLC, RECEIVED BY THE CITY ON THE MESFORD SIDEWALK IMPROVEMENTS & OVERLAY PROJECT AND AWARDING THE BID TO THE SECOND LOW BIDDER.

WHEREAS, the City of Poulsbo recently opened bids on the project known as the Mesford Sidewalk Improvements & Overlay Project (#CN2009-001); and

WHEREAS, the bid from Construct Company, LLC, received by the City was the apparent low bid; and

WHEREAS, Section 1-02.07 of the 2008 WSDOT Standard Specifications provides that failure to furnish a valid bid deposit "shall make the Bid nonresponsive and shall cause the Bid to be rejected by the Contracting Agency;" and

WHEREAS, Section 5(B) of the bid documents at page LD-5 provides that if a bid bond is used as security, "The bond form included in these Contract Provisions MUST be used; no substitute will be accepted." (Emphasis in original); and

WHEREAS, Construct Company, LLC's bid proposal was not accompanied by a valid bid deposit in accordance with the bid specifications. Specifically, the bid bond submitted was not on the form provided by the City, nor did it identify the City of Poulsbo as Obligee, nor did it identify the Mesford Sidewalk Improvements Project, and instead identified the City of Tacoma as Obligee and listed a Tacoma project; and

WHEREAS, in light of this fact, the City Engineer has recommended that the City Council reject the bid in accordance with section 1-02.07 of the 2008 WSDOT Standard Specifications; and

WHEREAS, the City Engineer has determined that Sound Excavation, Inc. was the second low bidder on the project; Now, therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. Rejection of Bid. The bid received by the City of Poulsbo from Construct Company, LLC on the Mesford Sidewalk Improvements & Overlay Project (#CN2009-001) is hereby rejected and the City Engineer shall provide notification to Construct Company, LLC of the rejection.

Section 2. Award of Bid. Sound Excavation, Inc., has submitted the lowest responsive bid for the Mesford Sidewalk Improvements & Overlay Project and the City Council hereby awards the contract in the amount of $335,973.00 (including Washington State sales tax) to Sound Excavation, Inc., and authorizes the Mayor to execute the same.

RESOLVED this 6th day of January, 2010.

CITY OF POULSBO

MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:

CITY CLERK, JILL A. BOLTZ

FILED WITH THE CITY CLERK: 12/29/2009
PASSED BY THE CITY COUNCIL: 01/06/2009
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