

RESOLUTION NO. 2022 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA; 1) ACCEPTING THE WORK PERFORMED BY EAGLE PAVING, INC. FOR THE NATIONAL CITY BOULEVARD BIKEWAY PROJECT, CIP NO. 19-18; 2) APPROVING THE FINAL CONTRACT AMOUNT OF \$714,242.39; 3) RATIFYING THE RELEASE OF RETENTION IN THE AMOUNT OF \$35,300.17; AND 4) RATIFYING THE SIGNING OF THE NOTICE OF COMPLETION FOR THE PROJECT.

WHEREAS, The National City Boulevard Bikeway project will provide nearly 0.2 miles of enhanced (buffered) bike lanes along 33rd Street from Hoover Avenue to National City Blvd. (“Project”); and

WHEREAS, the Project will implement nearly 0.4 miles of Class II facilities along National City Blvd. from 33rd Street to C Street at the southern city limit with City of Chula Vista; and

WHEREAS, the Project will include traffic calming features, decreased lane widths, bike/pedestrian improvements at freeway on/off ramps, bike boxes, lighting, and pedestrian safety enhancements; and

WHEREAS, the Project will improve the safety for people walking and biking; and

WHEREAS, on October 26, 2021, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors; and

WHEREAS, on October 29, 2021 and November 1, 2021, the bid solicitation was advertised in local newspapers; and

WHEREAS, on November 16, 2021, nine (9) bids were received by the 1:00 p.m. deadline. LC Paving & Sealing Inc. was the apparent lowest bidder with a total bid amount of \$607,357.52; and

WHEREAS, upon review of the bid documents submitted, LC Paving & Sealing Inc. failed to submit all required bid documents before the bid opening as required by the Construction Specifications Instruction to Bidders and 2-1.3 Award of Contract; and

WHEREAS, on November 29, 2021, LC Paving & Sealing Inc. was notified about this irregularity that resulted in their bid being deemed non-responsive; and

WHEREAS, subsequently, staff reviewed the bid documents submitted by the second lowest bidder, Eagle Paving Company, Inc; and

WHEREAS, upon review of all documents submitted Eagle Paving Company, Inc.’s bid was deemed responsive and they are the lowest responsible bidder qualified to perform the work as described in the project specifications; and

WHEREAS, on January 18, 2022, the City Council adopted Resolution No. 2022-04 awarding the contract to Eagle Paving Company, Inc., in the not-to-exceed amount of \$650,760.00; and

WHEREAS, the Notice to Proceed with construction was issued on March 25, 2022. Construction started on June 4, 2022 and was completed on October 14, 2022; and

WHEREAS, the change orders issued for this Project are detailed in the Final Contract Balance Report; and

WHEREAS, the change orders increased the contract by \$63,482.39; and

WHEREAS, this results in a 9.8% contract increase for a final contract balance of \$714,242.39.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby authorizes accepting the work performed by Eagle Paving, Inc. for the National City Boulevard Bikeway Project, CIP No. 19-18;

Section 2: Approving the final contract amount of \$714,242.39.

Section 3: Ratifying the release of retention in the amount of \$35,300.17.

Section 4: Ratifying the signing of the Notice of Completion for the Project.

Section 5: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 6th day of December 2022.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Luz Molina, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, Interim City Attorney