

RESOLUTION NO. 2024 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, 1) REJECTING ALL BIDS RECEIVED ON MAY 21, 2024 FOR THE FY24 AND FY25 PAVEMENT REHABILITATION PROJECT, CIP NO. 23-15; 2) AWARDED A CONTRACT TO MARTIN MARIETTA SAN DIEGO AGGREGATES, LLC DBA ATP GENERAL ENGINEERING CONTRACTORS IN THE NOT-TO-EXCEED AMOUNT OF \$5,732,474 FOR THE FY24 AND FY25 PAVEMENT REHABILITATION PROJECT, CIP NO. 23-15; 3) AUTHORIZING A 10% CONTINGENCY IN THE AMOUNT OF \$573,247 FOR ANY UNFORESEEN CHANGES; AND 4) AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT.

WHEREAS, the FY24 and FY25 Pavement Rehabilitation Project, CIP No. 23-15 (“Project”) will perform pavement rehabilitation through mill and overlay methods, as well as a Type II slurry seal at various locations; and

WHEREAS, the improvement areas were prioritized based on a previous pavement conditions survey, field investigations, and requests from the public and, in addition, staff applied an equitable approach to developing the Project by ensuring improvements were proposed throughout the City, rather than limiting improvements to one or two geographic areas; and

WHEREAS, the City-Wide Pedestrian Safety Enhancement Project, CIP No. 22-16, which is funded in part by a Highway Safety Improvement Program grant (the “Grant”), was included within the bid package for the Project to take advantage of competitive pricing typically realized when quantities for similar line items of work increase; and

WHEREAS, on April 26, 2024, the bid solicitation for the Project was posted on PlanetBids, a free public electronic bidding system for contractors; and

WHEREAS, on May 1st and May 3rd, 2024, the bid solicitation was advertised in the local newspaper; and

WHEREAS, on May 21, 2024, two (2) bids were received by the 5:00 p.m. deadline; and

WHEREAS, both bidders submitted proposals that significantly exceeded the engineer’s estimate and, consequently, staff informed both bidders on June 6, 2024 that the City intended to re-advertise the Project, which would include adjustments to the Project scope to align the bids with the budget allocations, after which the Project would be rebid; and

WHEREAS, as a result of the excessive cost of the earlier bids, on August 19, 2024 staff re-advertised the Project on PlanetBids with a revised Project scope in order to receive bids within the budget allocations; and

WHEREAS, on September 5th and September 9th, 2024, the bid solicitation was advertised in the local newspaper; and

WHEREAS, on September 13, 2024, four (4) bids were received by the 5:00 p.m. deadline; and

WHEREAS, RAL Investment Corporation was the apparent lowest bidder with a total bid amount of \$6,269,983.11 but, upon a review of all documents submitted, staff rejected the bid as non-responsive due to the bidder’s failure to sign the Verification and Execution document; and

WHEREAS, consequently, staff reviewed the documents submitted by the second lowest bidder, Martin Marietta San Diego Aggregates, LLC dba ATP General Engineering Contractors (“ATP”), and ATP’s bid in the total bid amount of \$6,745,176.10 was deemed responsive, making them the lowest responsible bidder qualified to perform the work as described in the Project specifications; and

WHEREAS, after reviewing the total bid submitted by ATP, City staff determined that the costs for the City-Wide Pedestrian Safety Enhancement Project, CIP No. 22-16 exceeded the Grant funds available for that portion of the Project and negotiated a revised scope of work with ATP that removed the City-Wide Pedestrian Safety Enhancement Project from the scope of work, resulting in a total contract award of \$5,732,474; and

WHEREAS, City staff recommends 1) rejecting all bids received on May 21, 2024 for the FY24 and FY25 Pavement Rehabilitation Project, CIP No. 23-15; 2) awarding a contract to Martin Marietta San Diego Aggregates, LLC dba ATP General Engineering Contractors in the not-to-exceed amount of \$5,732,474 for the revised scope of work for the FY24 and FY25 Pavement Rehabilitation Project, CIP No. 23-15; 3) authorizing a 10% contingency in the amount of \$573,247 for any unforeseen changes; and 4) authorizing the Mayor to execute the contract.

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 rejects all bids received on May 21, 2024, for the FY24 and FY25 Pavement Rehabilitation Project, CIP No. 23-15.

Section 2: That the City Council hereby authorizes the Mayor to execute the contract with Martin Marietta San Diego Aggregates, LLC dba ATP General Engineering Contractors in the not-to-exceed amount of \$5,732,474 for the FY24 and FY25 Pavement Rehabilitation Project, CIP No. 23-15.

Section 3: That the City Council hereby authorizes a 10% contingency in the amount of \$573,247 for any unforeseen changes.

Section 4: 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 19th day of November, 2024.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney