TO: Honorable Mayor and City Council
Attention: Laura C. Kuhn, City Manager

FROM: Shawn Cunningham, Director of Public Works
(Staff Contact: Tim Burke, (707) 449-5293)

SUBJECT: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE
APPROVING THE AWARD OF THE CONSTRUCTION CONTRACT TO
A. TEICHERT AND SON, INC. FOR THE JEPSON PARKWAY ROAD
WIDENING PROJECT, FEDERAL PROJECT NUMBERS RPSTPL-5094(064)
AND BRLS-5094(067)

DISCUSSION:

The Jepson Parkway is a 12-mile, I-80 reliever route that will improve intra-county mobility for Solano County residents. The plan proposes a continuous four-lane roadway from the State Route 12/Walters Road intersection in Suisun City to the I-80/Leisure Town Road interchange in Vacaville.

This phase of the project includes the Leisure Town Road section of Jepson Parkway from Commerce Place to Vanden Road and on Vanden Road from the Leisure Town Road intersection to the City's southern limit line.

Construction includes widening the existing 2 lane configuration to a four lane divided roadway with landscaped center median-island and enlarged landscape buffer with meandering 10’ wide sidewalks. Intersection signal improvements along the Leisure Town Road corridor and roundabout construction at the Vanden Road/Leisure Town Road intersection. New Alamo Creek Bridge will be replaced with a new bridge. The project also includes underground improvements to the water and storm drainage systems, soundwall construction from Kingswood Avenue to Arbor Oaks Drive and various ancillary construction activities.

Six (6) bids were received on December 6, 2016, for the subject project. The apparent low bidder was A. Teichert and Son, Inc. dba Teichert Construction of Roseville, California, with a bid of $26,574,731.00, 17% below the Engineer's Estimate of $32,000,000.

The following bids were received:

<table>
<thead>
<tr>
<th>BID ORDER</th>
<th>CONTRACTOR</th>
<th>TOTAL BID AMOUNT</th>
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<tbody>
<tr>
<td>1</td>
<td>A. Teichert and Son, Inc.</td>
<td>$26,574,731.00</td>
</tr>
<tr>
<td>2</td>
<td>DeSilva Gates Construction L.P.</td>
<td>$27,234,257.50</td>
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<tr>
<td>3</td>
<td>O.C. Jones &amp; Sons, Inc.</td>
<td>$28,735,987.30</td>
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<tr>
<td>4</td>
<td>Ghilotti Construction Company, Inc.</td>
<td>$28,875,204.15</td>
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<tr>
<td>5</td>
<td>Granite Rock Company</td>
<td>$28,908,231.15</td>
</tr>
<tr>
<td>6</td>
<td>Bay Cities Paving &amp; Grading, Inc.</td>
<td>$30,486,386.55</td>
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ENGINEER'S ESTIMATE: $32,000,000
Subsequent to the opening of bids, the City received a bid protest from DeSilva Gates Construction alleging that the low bid by Teichert Construction must be deemed non-responsive because their bid omitted the written out subtotal and total bid prices in words on the bid proposal. The protest states, in general, that the City is not able to determine the actual total prices of the Teichert bid because the summation of the subtotals and listed contract total bid prices do not match. The protest further states that the failure to entirely complete the bid forms provided Teichert Construction an unfair competitive advantage. Staff, in cooperation with the City Attorney’s Office, has reviewed the bid submitted by Teichert Construction and the bid protest submitted by DeSilva Gates Construction. The published bid proposal form clearly states that the provided bid unit item prices listed on the bid proposal shall be used for calculation of the bid item total prices. Staff has determined that the bid prices provided in the Teichert bid are completely filled out and legible. Further, the summation of the bid item prices and the total contract bid price are in agreement. Since there is no discrepancy between the bid item prices, the item total prices and the listed total contract price the Teichert bid is responsive. The City has discretion to waive minor irregularities and finds in this case that the omission of the written out subtotal and total bid prices in words is a minor irregularity that has not provided a competitive advantage. It is staff’s determination that Teichert Construction’s bid is a responsible and responsive bid.

The project was designed in-house by Engineering Services Division of Public Works with structural and bridge design by Mark Thomas and Company, Inc., roundabout design provided by Omni-Means, Ltd., and landscaping and irrigation design by Haygood and Associates Landscape Architects. The time of completion for the project is 500 working days, scheduled to begin on March 13, 2017. Work is anticipated to be completed in late 2018.

An Environmental Impact Report was prepared and circulated in accordance with California Environmental Quality Act (CEQA) requirements; a Notice of Determination was filed on March 19, 2009. Caltrans, acting as federal lead agency, filed a Record of Decision completing the requirements for compliance with National Environmental Policy Act (NEPA) on June 21, 2011. CEQA and NEPA approvals were reviewed for minor project scope changes and were revalidated in October 2015, November 2015, and September 2016.

**FISCAL IMPACT:**

There is no impact to the City’s General Fund as a result of this action.

The project funding agreement provides for a 50/50 cost split between the Solano Transportation Authority (STA) and the City of Vacaville. Project funding for STA is provided by the State Transportation Improvement Program (STIP). Funding for the City is provided by the Federal Highway Bridge Program (HBP), Traffic Impact Fees, Water Development Impact Fees, and Sewer Development Impact Fees.

**RECOMMENDATION:**

By simple motion, adopt the subject resolution.

**ATTACHMENTS:**

Resolution – Action Item
Attachment 1: Vicinity Map
RESOLUTION NO. 2016-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE
APPROVING THE AWARD OF THE CONSTRUCTION CONTRACT TO A. TEICHERT AND
SON, INC. FOR THE JEPSON PARKWAY ROAD WIDENING PROJECT, FEDERAL
PROJECT NUMBERS RPSTPL-5094(064) AND BRLS-5094(067)

WHEREAS, the Jepson Parkway Project is a 12 mile, multi-phase, county wide reliever route project focused at improving intercounty mobility in Solano County by improving and widening local road sections between the State Route 12 and Walters Road intersection in Suisun City and the I-80 and Leisure Town Road interchange in Vacaville; and

WHEREAS, the Jepson Parkway Road Widening Project proposes to construct the Leisure Town Road section in Vacaville between Commerce Place and Vanden Road and on Vanden Road to the City’s southern limit line; and

WHEREAS, six bids were received on December 6, 2016, for the construction of the project; and

WHEREAS, the City received a bid protest stating that the low bid is non-responsive; and

WHEREAS, the City has reviewed the bid protest and the low bid fully and completely and determined the low bid from A. Teichert and Son, Inc. to be responsive; and

WHEREAS, the lowest responsive, responsible bidder is A. Teichert and Son, Inc., dba Teichert Construction, of Roseville, California, with a bid of $26,574,731.00; and

WHEREAS, the contractor has five hundred (500) working days in which to complete the work; and

WHEREAS, a Project Funding Agreement between Solano Transportation Authority (STA) and the City of Vacaville (CITY) provides for a 50/50 cost share on the total project cost for the project; and

WHEREAS, the STA share is provided through State Transportation Improvement Program funds; and,

WHEREAS, the City share is provided by Federal Highway Bridge Program funds, Traffic Impact Fees, Water Development Impact Fees and Sewer Development Impact Fees; and

WHEREAS, an Environmental Impact Report was prepared for the project pursuant to the provisions of the California Environmental Quality Act and on March 19, 2009, a Notice of Determination was filed with the California State Clearinghouse and received no comments; and

WHEREAS, a Final National Environmental Policy Act, Environmental Impact Statement was prepared and a Record of Decision was signed by Caltrans following the comment period, on June 21, 2011; and
WHEREAS, NEPA and CEQA approvals were reviewed for design changes and revalidated in October 2015, November 2015, and September 2016.

WHEREAS, the City of Vacaville, Public Works Engineering Services staff prepared the construction plans and contract documents for the construction of the project in coordination with consultants; Mark Thomas and Company, Inc. Omni-Means, LTD. and Haygood and Associates Landscape Architects and advertised for public bidding on September 4, 2016.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Vacaville does hereby approve the project plans, project manual, and working details for the project; authorize the award of the construction contract to the lowest responsive, responsible bidder, A. Teichert and Son, Inc., dba, Teichert Construction, of Roseville California; and authorize the Director of Public Works to execute said contract for the Jepson Parkway Road Widening Project, Federal Project Numbers RPSTPL-5094(064) and BRLS-5094(067) in the amount of $26,574,731.00.

I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 13th day of December, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Michelle A. Thornbrugh, City Clerk