

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE CITY MANAGER TO AWARD TO AND EXECUTE A CONSTRUCTION CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER, MICHAEL DOVGAN, AN INDIVIDUAL, DBA “A PLUS PAINTING,” IN THE AMOUNT OF \$81,720 AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO NEGOTIATE AND EXECUTE CHANGE ORDER(S) IN THE CUMULATIVE AMOUNT NOT TO EXCEED \$12,000 FOR THE 2013 SOUNDWALL RENOVATION PROJECT NO. 4267

WHEREAS, on August 6, 2013, the City Council approved the project plans and specifications and authorized the advertisement for construction bid proposals for 2013 Soundwall Renovation Project No. 4267, (“Project”), which consists of repair and painting of City-owned sound walls; and

WHEREAS, the Engineer’s Estimate for the base bid Project work was \$120,000; and

WHEREAS, the Project was advertised and six (6) sealed bid proposals were received and opened on August 26, 2013, which ranged from \$81,720 to \$216,710, and the lowest responsible base bid was submitted by Michael Dovgan, an individual, DBA “A Plus Painting,” in the amount of \$81,720; and

WHEREAS, no bid protest was filed with the City within five (5) days of the bid opening as set forth in the project plans and specifications; and

WHEREAS, sufficient funds to award the Project are available in the Project budget, staff recommends the City Council authorize the City Manager to award to and execute a construction contract with the lowest responsible bidder for the Project in conformity with State law; and

WHEREAS, due to the Project’s tight completion schedule and ability for staff to respond swiftly to unanticipated construction conditions in order to limit potential claims or risk to the City, staff recommends the City Council authorize the Director of Public Works to negotiate and execute change order(s) in an amount not to exceed the construction contingency established for this Project of \$12,000, which is approximately fifteen percent of the estimated construction cost.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Manager is authorized to award to and execute a construction contract and related documents with the lowest responsible bidder, Michael Dovgan, an individual dba “A Plus Painting,” for the 2013 Soundwall Renovation Project No. 4267, in the amount of \$81,720.
3. The Director of Public Works is authorized to negotiate and execute change order(s) for the 2013 Soundwall Renovation Project No. 4267 in the cumulative contingency amount not to exceed \$12,000 for the Project.

PASSED AND ADOPTED this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney



CITY OF MILPITAS
ENGINEERING DIVISION
BID SUMMARY

Project Name: 2013 Soundwall Renovation Project No. 4267

Project No. :

Bid Date: August 26, 2013 @ 2:00 PM

BASED BID				Engineer's Estimate		A Plus Painting		Affordable Painting Services Inc		JPA Designs		Ashron Construction & Restoration, Inc.		Fix Painting Co.		Diana Prince Construction, Inc.	
ITEM	DESCRIPTION	Qty.	UNIT	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
1	Mobilization	1	LS	\$12,000.00	\$12,000.00	\$8,000.00	\$8,000.00	\$6,000.00	\$6,000.00	\$2,000.00	\$2,000.00	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00	\$21,000.00	\$21,000.00
2	Water Pollution Control Work (SWPPP)	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$8,000.00	\$8,000.00	\$2,000.00	\$2,000.00	\$10,000.00	\$10,000.00
3	Project Appearance, Existing Landscape, Trimming and Replacement	1	LS	\$20,000.00	\$20,000.00	\$8,000.00	\$8,000.00	\$9,000.00	\$9,000.00	\$24,777.00	\$24,777.00	\$18,000.00	\$18,000.00	\$20,000.00	\$20,000.00	\$12,290.00	\$12,290.00
4	Traffic Control	1	LS	\$5,000.00	\$5,000.00	\$8,000.00	\$8,000.00	\$6,000.00	\$6,000.00	\$2,500.00	\$2,500.00	\$8,000.00	\$8,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
5	Crack Repair	1	LS	\$35,000.00	\$35,000.00	\$20,000.00	\$20,000.00	\$8,000.00	\$8,000.00	\$7,600.00	\$7,600.00	\$18,000.00	\$18,000.00	\$6,000.00	\$6,000.00	\$18,020.00	\$18,020.00
6	Coating System for Steel	1	LS	\$8,000.00	\$8,000.00	\$10,000.00	\$10,000.00	\$3,000.00	\$3,000.00	\$8,700.00	\$8,700.00	\$4,000.00	\$4,000.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00
7	Painting	1	LS	\$35,000.00	\$35,000.00	\$22,720.00	\$22,720.00	\$45,000.00	\$45,000.00	\$43,700.00	\$43,700.00	\$63,000.00	\$63,000.00	\$100,990.00	\$100,990.00	\$145,400.00	\$145,400.00
TOTAL					\$120,000.00		\$81,720.00		\$82,000.00		\$92,277.00		\$129,000.00		\$146,990.00		\$216,710.00
				APPARENT LOW BIDDER													

List of Sub-Contractors

Description	A Plus Painting	Affordable Painting Services Inc	JPA Designs	Ashron Construction & Restoration, Inc.	Fix Painting Co.	Diana Prince Construction, Inc.
Arborist				Trees 360 Degrees		
Crack Repairs	Silver Star Painting					