

**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, EXARO TECHNOLOGIES CORPORATION, IN THE AMOUNT OF \$477,630 AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO NEGOTIATE AND EXECUTE CHANGE ORDER(S) IN THE CUMMULATIVE AMOUNT NOT TO EXCEED \$55,000 FOR THE CATHODIC PROTECTION IMPROVEMENT PROJECTS 7115, 6115, AND 3706**

**WHEREAS**, on June 18, 2013, the City Council approved the project plans and specifications and authorized the advertisement for construction bid proposals for Cathodic Protection Improvement Projects 7115, 6115, and 3706 (collectively the “Project”), which consists of upgrades, repairs, and replacement of the City’s existing cathodic protection systems; and

**WHEREAS**, the Engineer’s Estimate for the base bid Project work was \$522,000; and

**WHEREAS**, the Project was advertised and three (3) sealed bid proposals were received and opened on December 17, 2013, which ranged from \$477,630 to \$1,165,602, and the lowest responsible base bid was submitted by Exaro Technologies Corporation in the amount of \$477,630; 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 budgets and 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 \$55,000, which is approximately 11 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, Exaro Technologies Corporation for the Cathodic Protection Improvement Projects 7115, 6115, and 3706, in the amount of \$477,630.
3. The Director of Public Works is authorized to negotiate and execute change order(s) for the Cathodic Protection Improvement Projects 7115, 6115, and 3706 in the cumulative contingency amount not to exceed \$55,000 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:** Cathodic Protection Improvements  
**Project No.:** 7115, 6115, 3706  
**Bid Date:** December 17, 2013

**BASED BID**

ITEM	DESCRIPTION	Engineer's Estimate		Exaro Technologies Corp.		Corpro Companies, Inc.		American Construction & Supply, Inc.			
		UNIT	Qty.	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
1	Mobilization	LS	1	\$30,000.00	\$30,000.00	\$45,000.00	\$45,000.00	\$99,086.00	\$99,086.00	\$36,098.00	\$36,098.00
2	traffic control	LS	1	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00	\$85,000.00	\$85,000.00	\$25,000.00	\$25,000.00
3	Sheeting, Shoring, & Bracing	LS	1	\$15,000.00	\$15,000.00	\$2,000.00	\$2,000.00	\$10,000.00	\$10,000.00	\$2,000.00	\$2,000.00
4	Water Pollution Control Work	LS	1	\$10,000.00	\$10,000.00	\$2,000.00	\$2,000.00	\$15,000.00	\$15,000.00	\$5,000.00	\$5,000.00
5	Galvanic Cathodic Protection for Live Oak Court Casing	LS	1	\$5,000.00	\$5,000.00	\$19,625.00	\$19,625.00	\$26,877.00	\$26,877.00	\$29,799.00	\$29,799.00
6	Galvanic Cathodic Protection for West Capitol Avenue, 18-inch DIP Structure 6	LS	1	\$40,000.00	\$40,000.00	\$39,200.00	\$39,200.00	\$91,098.00	\$91,098.00	\$129,060.00	\$129,060.00
7	Galvanic Cathodic Protection for Columbus Drive, 16-inch SCP, Structure 5	LS	1	\$18,000.00	\$18,000.00	\$15,285.00	\$15,285.00	\$28,783.00	\$28,783.00	\$33,897.00	\$33,897.00
8	Galvanic Cathodic Protection for Curtis Avenue, 18-inch/18-inch DIP Structure 10	LS	1	\$85,000.00	\$85,000.00	\$82,055.00	\$82,055.00	\$195,228.00	\$195,228.00	\$344,665.00	\$344,665.00
9	Galvanic Cathodic Protection for Russell Lane Casing	LS	1	\$25,000.00	\$25,000.00	\$20,435.00	\$20,435.00	\$30,271.00	\$30,271.00	\$33,590.00	\$33,590.00
10	Galvanic Cathodic Protection for S. Milpitas Blvd. 16-inch & 18-inch DIP, Units I & II, S	LS	1	\$70,000.00	\$70,000.00	\$24,900.00	\$24,900.00	\$57,622.00	\$57,622.00	\$77,465.00	\$77,465.00
11	Electrical Isolation for Pinewood Well	LS	1	\$5,000.00	\$5,000.00	\$9,715.00	\$9,715.00	\$2,938.00	\$2,938.00	\$2,774.00	\$2,774.00
12	Galvanic Cathodic Protection for Yosemite Dr., 16-inch SCP & 18-inch DIP, Structure	LS	1	\$65,000.00	\$65,000.00	\$50,450.00	\$50,450.00	\$116,122.00	\$116,122.00	\$221,028.00	\$221,028.00
13	Galvanic Cathodic Protection for Tulareitos Waqter Storage Tank	LS	1	\$15,000.00	\$15,000.00	\$21,500.00	\$21,500.00	\$13,500.00	\$13,500.00	\$22,653.00	\$22,653.00
14	Galvanic Cathodic Protection for Minnis Ranch Water Storage Tanks	LS	1	\$15,000.00	\$15,000.00	\$19,065.00	\$19,065.00	\$13,500.00	\$13,500.00	\$22,653.00	\$22,653.00
15	Galvanic Cathodic Protection for Abbot Ave. Casing	LS	1	\$12,000.00	\$12,000.00	\$20,670.00	\$20,670.00	\$20,524.00	\$20,524.00	\$19,861.00	\$19,861.00
16	Impressed Current Cathodic Protection for Oak Creek Pump Station	LS	1	\$15,000.00	\$15,000.00	\$27,315.00	\$27,315.00	\$42,804.00	\$42,804.00	\$35,185.00	\$35,185.00
17	Impressed Current Cathodic Protection for McCarthy Pump Station	LS	1	\$7,000.00	\$7,000.00	\$22,625.00	\$22,625.00	\$17,561.00	\$17,561.00	\$18,572.00	\$18,572.00
18	Impressed Current Cathodic Protection for Main Sewer Pump Station & Force Main	LS	1	\$75,000.00	\$75,000.00	\$45,790.00	\$45,790.00	\$160,730.00	\$160,730.00	\$106,302.00	\$106,302.00
<b>TOTAL</b>					<b>\$522,000.00</b>		<b>\$477,630.00</b>		<b>\$1,026,644.00</b>		<b>\$1,165,602.00</b>
						Apparent Low Bidder				Unit Price Extension Error	



**List of Sub-Contractors**

Description	Contractor	Contractor
Drilling	Exaro Technologies Corp.	American Construction & Supply, Inc.
Disposal	Greg Drilling & Testing Inc.	Corpro Companies, Inc.
Flange Kit Install		Greg Drilling & Testin, Inc.
Patch Paving		Ponder Environmental
		Sanco Pipelines
		Bay Area Paving