



## Item No. 12 Town of Atherton

### CITY COUNCIL STAFF REPORT – CONSENT AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL  
GEORGE RODERICKS, CITY MANAGER**

**THROUGH: ROBERT OVADIA, PUBLIC WORKS DIRECTOR**

**FROM: DAVID HUYNH, PW MAINTENANCE MANAGER**

**DATE: MARCH 17, 2021**

**SUBJECT: AWARD OF CONTRACT FOR THE 2021 SPRING PATCHING  
PROJECT, PROJECT NUMBER 56095**

#### **RECOMMENDATION**

Award the construction contract for 2021 Spring Patching Project, project number 56095 to the lowest responsive bidder, G. Bortolotto & CO., Inc. of San Carlos for \$180,000 and authorize change orders up to \$20,000; direct the City Attorney to prepare the contract; and authorize the City Manager to execute the contract on behalf of the Town.

#### **BACKGROUND**

Pavement maintenance is budgeted annually in the Town's Capital Improvement budget. The 2021 Spring Patching Project is included in the FY 2020-21 Capital Improvement Program. The project includes grinding and replacing approximately 25,000 square feet of asphalt to a six-inch depth to remediate local pavement failures. This work includes grinding, sweeping, tack coating, replacing asphalt and finish rolling per Town standard specifications and special provisions. This work precedes and is necessary prior to the slurry seal project, which is slated to be completed this summer.

#### **ANALYSIS**

Public Works staff administered a publicly noticed bid for the 2021 Spring Patching Project. Bids were opened on February 10, 2021. Ten (10) bids were received for the 2021 Spring Patching Project as follows:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>BID</u>
Radius Earthworks, Inc.	San Jose	\$152,700
G. Bortolotto & Co., Inc.	San Carlos	\$180,000
Terramark General Engineering	San Jose	\$186,250

### Contractors

Interstate Grading & Paving, Inc.	So. San Francisco	\$190,500
QA Constructors	San Francisco	\$203,750
Asphalt Surfacing, Inc.	Milpitas	\$205,750
O’Grady Paving, Inc.	Mountain View	\$210,000
Esquivel Grading & Paving, Inc.	San Francisco	\$235,000
Forticon, Inc.	Oakland	\$237,500
Silicon Valley Paving, Inc.	San Jose	\$248,250
QA Fiber Communications	So. San Francisco	\$272,250

The Engineer’s Estimate for the Spring Patching Project was \$150,000.

Radius Earthworks, Inc. of San Jose, California, was the lowest apparent bidder. After review of the documentation provided with their proposal, the bid schedule was not properly filled out; the unit price was not filled in, the bid requires the bidder to provide “at least” four previous projects for reference. Radius only provided three references and left the space for the fourth blank. Additionally, the project requires grinding of the existing pavement to conduct the required pavement repairs. Radius Earthworks has not demonstrated the ability to conduct pavement grinding nor listed a subcontractor in their bid documents. The Public Contract Code requires listing of subcontractors as part of the bid documents at the time of the bid opening when subcontracted work exceeds 0.5% or \$10,000, whichever is greater. The value of pavement grinding associated for this project is greater than \$10,000 and 0.5% of their bid.

On February 16<sup>th</sup>, staff received a request by email from the Radius Earthworks, they requested to rescind their bid on the project. Staff requested that Radius Earthworks submit a formal request including justification as to why they were requesting rescinding their bid. On February 18<sup>th</sup>, Radius’ letter stated they made a clerical error in their calculation. The letter did not provide any detail regarding the error and did not comply with Public Contract Code requirements regarding relief from their bid.

Staff recommends that the Council declare the bid from Radius Earthworks non-responsive and award a contract to G. Bortolotto & Co., Inc, the next lowest bidder and authorize staff to process construction change orders up to \$20,000.

### **COMMUNITY NOTIFICATION**

A map of the area affected of the project is currently on the Town’s website. A construction schedule will be added to the Town’s website and distributed via the Town’s electronic news network.

### **Neighborhood Notifications and Performance**

Staff will widely publicize the overlay program through a multi-media approach using the Town’s website and the Town’s electronic news flash notification system. The contractor’s

responsibilities include: door-hanger notifications, signage, and the placement of barricades at 100-foot maximum intervals on each street at least forty-eight hours prior to work being performed. These barricades will include no parking signs and road closure schedules along with contact information. A list and map of the areas affected, and timing of the project will be added to the Town’s website and distributed via the Town’s electronic news network.

**POLICY FOCUS**

The project will provide a pavement repairs and resurfacing that will extend the life cycle of the roadway. This project will include milling of asphalt, patching of failed pavement sections, crack sealing, and repaving asphalt. The selected street was identified via the Town’s Pavement Management Program, field verification of conditions, and conformity with grant funding requirements.

**FISCAL IMPACT**

Special Parcel Tax Fund in the amount of \$200,000 is budgeted for this project in FY 2020-21.

**PUBLIC NOTICE**

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

**COMMISSION/COMMITTEE FEEDBACK/REFERRAL**

This item \_\_\_\_ has or X has not been before a Town Committee or Commission.

- Audit/Finance Committee (meets every other month)
- Bicycle/Pedestrian Committee (meets as needed)
- PMC & Civic Center Advisory Committee (meets as needed)
- Environmental Programs Committee (meets every other month)
- Park and Recreation Committee (meets each month)
- Planning Commission (meets each month)
- Rail Committee (meets every other month)
- Transportation Committee (meets every other month)

**ATTACHMENTS**

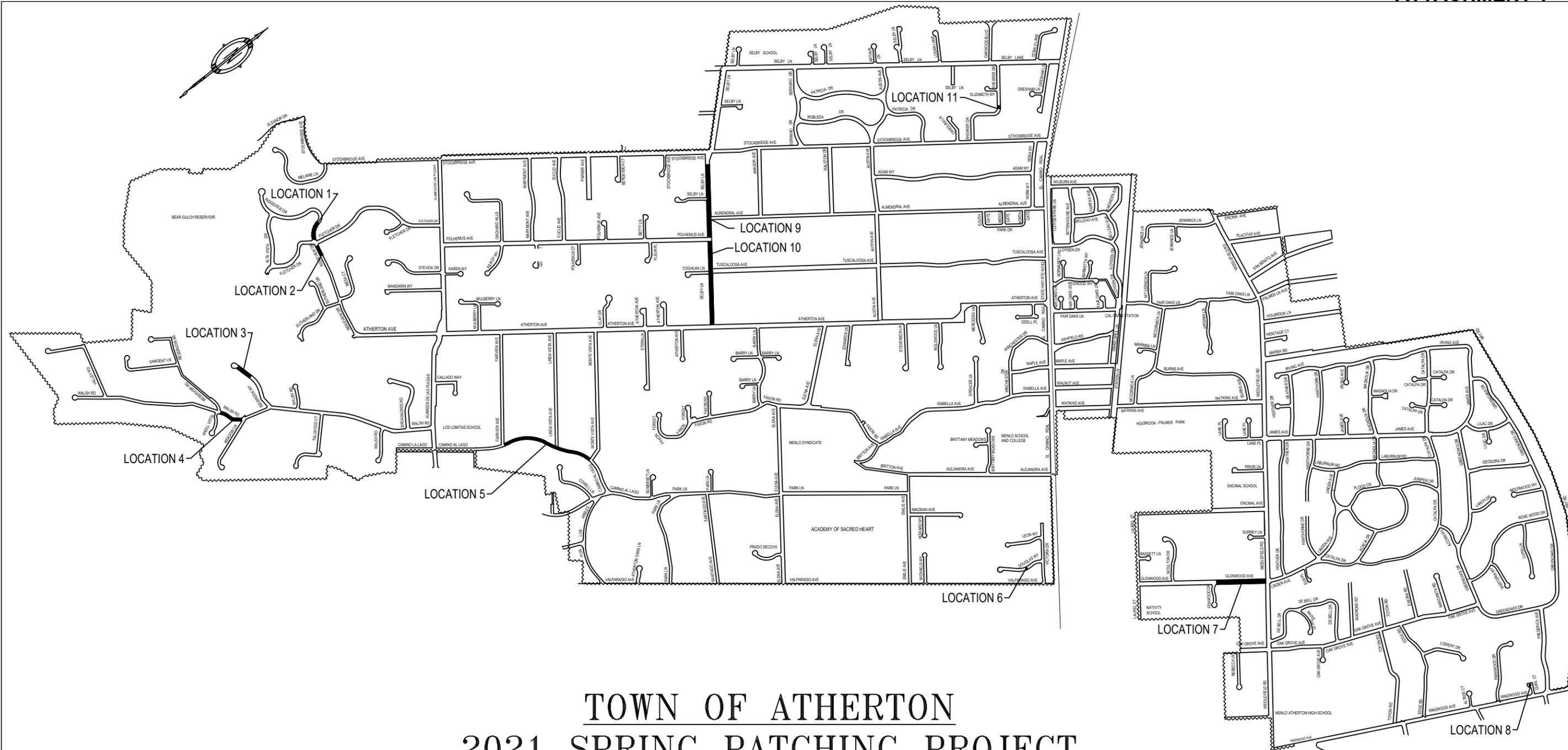
1. Map of Spring Patching Project Location

2021 Spring Patching Project 56095

March 17, 2021

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2. Letter from Radius Earthworks, Inc. rescinding their bid



**TOWN OF ATHERTON**  
**2021 SPRING PATCHING PROJECT**  
**PROJECT #56095**  
**STREET PATCHING MAP**

1	PLANS FOR BID	DGH
NO.	DATE	DESCRIPTION

REGISTERED CIVIL ENGINEER	DATE
PLANS APPROVAL DATE	
TOWN OF ATHERTON	
DEPARTMENT OF PUBLIC WORKS	
150 WATKINS AVENUE	
ATHERTON, CA 94027	

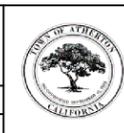
THIS PLAN WAS PREPARED UNDER MY DIRECTION  
 APPROVED BY:  
 ROBERT OVADIA R.C.E. 52664  
 DIRECTOR OF PUBLIC WORKS

DRAWN	By D. HUYNH	Checked R. OVADIA
DESIGN	By D. HUYNH	Checked R. OVADIA
QUANTITIES	By	Checked
SCALE: HORIZONTAL: NTS		VERTICAL: NTS

**TOWN OF ATHERTON**  
**DEPARTMENT OF PUBLIC WORKS**

0 1 2 3 4

ORIGINAL SCALE IS IN INCHES FOR REDUCED PLANS



<b>2021 SPRING PATCHING PROJECT</b>			
<b>PATCH LOCATION MAP</b>			
DISREGARD PRINTS BEARING EARLIER PLOT DATES	DATE PLOTTED	SHEET	OF
	01/13/21	1	1



**RADIUS**  
**EARTHWORK INC**  
Grading | Paving | General Engineering

**Date: 02/18/2021**

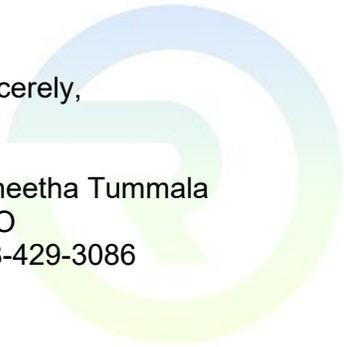
**To**  
**David Huynh PE**  
**PW Maintenance Manager/Senior Engineer**

**Re: Town of Atherton Patch Project**

Radius was the low bidder on Atherton Patch Project that was bid on 02/10/2021. We decided to rescind this project as we made a clerical error in our calculation. Please pass this one to next eligible bidder.

Sincerely,

Suneetha Tummala  
CFO  
408-429-3086



**RADIUS**  
**EARTHWORK INC**  
Grading | Paving | General Engineering