



# STAFF REPORT

AGENDA ITEM NO: 8d

MEETING DATE: June 21, 2021

**To: Honorable Mayor and City Council**

**Date: June 21, 2021**

**From: Syed Murtuza, Director of Public Works – (650) 558-7230  
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**Subject: Adoption of a Resolution Rejecting All Bids Received for the Broadway Pedestrian Street Lighting Improvements Project and Authorizing Staff to Re-advertise the Project**

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## **RECOMMENDATION**

Staff recommends that the City Council adopt the attached resolution rejecting all bids received for the Broadway Pedestrian Street Lighting Improvements Project and authorize staff to re-advertise the project.

## **BACKGROUND**

The Broadway Pedestrian Street Lighting Improvements Project consists of replacing the existing light poles and fixtures with a new system, including installation of foundations, conduits, utility boxes, and wiring, and restoration work along Broadway between El Camino Real and Rollins Road.

## **DISCUSSION**

After receiving approvals from the federal and state authorities, the project was advertised for bids in December 2020 and February 2021. The bids were rejected due to issues related to specifications and contractor qualifications. After addressing the issues, the project was re-advertised for bids for a third time on April 27, 2021. The project bids were opened on May 19, 2021. The City received four bid proposals, with bids ranging from \$719,400 to \$997,078. Phoenix Electric Company is the apparent low bidder with its bid amount of \$719,400.

Staff received a bid protest from St. Francis Electric on May 27, 2021. The protest contended that the low bidder listed an unlicensed subcontractor in its bid proposal and also did not submit quotes or written confirmation from the subcontractors it is utilizing to meet Disadvantaged Business Enterprise (DBE) requirements. Phoenix Electric Company submitted a response to the protest on May 28, 2021. The response provides documentation from the Contractors State Licensing Board that confirms the subcontractor's license was valid at the time of the bid. The response also states that all required DBE forms have been submitted to the City.

After examining the bid protest, due to varying interpretations of the specifications related to the submission timing of DBE documentation, staff recommends that the City Council reject all bids and authorize staff to re-advertise the project. Staff will further update the project plans and specifications prior to re-advertising the project.

**FISCAL IMPACT**

None

Exhibits:

- Resolution
- Bid Summary
- Project Map