

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME
REJECTING ALL BIDS RECEIVED FOR THE BROADWAY PEDESTRIAN STREET
LIGHTING IMPROVEMENTS PROJECT AND AUTHORIZING STAFF TO RE-
ADVERTISE THE PROJECT**

**CITY PROJECT NO. 85000
FEDERAL AID PROJECT NO. CML-5171(023)**

WHEREAS, after receiving approvals from the federal and state authorities, the City advertised the Broadway Pedestrian Street Lighting Improvements Project, City Project No. 85000, Federal Aid Project No. CML-5171(023) for bids in December 2020 and February 2021, and the City subsequently rejected all bids due to issues related to specifications and contractor qualifications; and

WHEREAS, after addressing the issues, the project was re-advertised for bids for a third time on April 27, 2021, and the bids were opened on May 19, 2021; and

WHEREAS, the City received four bid proposals ranging from \$719,400 to \$997,078; and

WHEREAS, Phoenix Electric Company is the apparent low bidder with its bid amount of \$719,400; and

WHEREAS, the City received a bid protest from St. Francis Electric on May 27, 2021, contending 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; and

WHEREAS, Phoenix Electric Company submitted a response to the protest on May 28, 2021, providing documentation from the Contractors State Licensing Board that confirms the subcontractor's license was valid at the time of the bid and that all required DBE forms have been submitted to the City; and

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED, and ORDERED, that all bids for the above-named project are hereby rejected; all bonds and security received in connection with the bids received shall be returned to the bidders; and City staff is authorized to update the project plans and specifications to address any technical discrepancies and re-advertise the project in accordance therewith.

Ann O'Brien Keighran, Mayor

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on the 21st day of June, 2021, and was adopted thereafter by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

Meaghan Hassel-Shearer, City Clerk