



**PUBLIC WORKS DEPARTMENT**

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**CITY COUNCIL STAFF REPORT**

Meeting: July 6, 2023

Subject

Consider rejection of all bids received for the Bridge Preventative Maintenance Program.

Recommended Action

Authorize the Director of Public Works to reject all bids received for the Bridge Preventative Maintenance Program.

Reasons for Recommendation

The City of Cupertino advertised the Bridge Preventative Maintenance Program (Project No. 2015-14) on May 12. The project consists of bridge maintenance activities at the bridges at McClellan Road and Homestead Road over Stevens Creek, and the bridges at Stevens Creek Boulevard, Vallco Parkway, Miller Avenue, and Tantau Avenue over Calabazas Creek. Project work was anticipated to begin in July and be completed by November. On June 6, the City received a sole responsive and responsible bid for the Bridge Preventative Maintenance Program project as follows:

Bidder	Bid Amount
<b>Engineers Estimate</b>	<b>\$975,000.00</b>
American Civil Constructors West Coast LLC	\$1,884,000.00

The sole bid significantly exceeded the engineer’s estimate, as well as the authorized project expenditure. This is likely due to a combination of reasons such as contractor availability and increases in labor and material costs.

The Department of Public Works (Public Works) believes that additional outreach and alternative timing of the bid advertisement may increase project interest by contractors resulting in more competitive bids being submitted. Public Works intends to re-advertise the project in the near future. Therefore, Public Works recommends that, pursuant to Cupertino Municipal Code section 3.23.110(A), the City Council authorize the Director of Public Works to reject all bids.

Sustainability Impact

No sustainability impact.

Fiscal Impact

Rejection will have no fiscal impact. Available funds will be carried over to next fiscal year.

The Fiscal Year 2022-2023 Capital Improvement Programs Budget includes the Bridge Preventative Maintenance Program (budget unit 270-90-960 “City Bridge Maintenance Repairs”, \$1,844,472 total funding, including \$1,144,472 from the FHWA Highway Bridge Program). No additional project funding is requested at this time.

Current Fiscal Summary (active project since 2016):

<b>Current Funding Status</b>	<b>Amount</b>
Budgeted Funds (Capital Reserve)	\$700,000.00
Federal Grant Funds	\$1,144,472.00
<b>Subtotal</b>	<b>\$1,844,472.00</b>

<b>Proposed Funding Impact</b>	<b>Amount</b>
Expenses to Date	(\$208,256.18)
Construction Management (projected/estimate)	(\$200,000.00)
Bid Amount/Projected Constuction Agreement ( <i>this agreement</i> )	(\$1,884,000.00)
<b>Subtotal</b>	<b>(\$2,292,256.18)</b>

**Deficiency Total** **(\$447,784.18)**

California Environmental Quality Act (CEQA)

The proposed action is exempt from the CEQA under CEQA Guidelines section 15378 (b) (5) as it is an administrative activity that will not result in a direct or indirect physical change to the environment.

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Prepared by: Suyesh Shrestha, Project Manager

Reviewed by: Susan Michael, Capital Improvement Programs Manager

Reviewed by: Chad Mosley, Interim Director of Public Works

Reviewed by: Matt Morley, Assistant City Manager

Approved for Submission by: Pamela Wu, City Manager