



PUBLIC WORKS DEPARTMENT

CITY HALL
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CITY COUNCIL STAFF REPORT

Meeting: May 16, 2023

Subject

Consider award of a construction contract for the Pumpkin-Fiesta Storm Drain Improvement Project to Con-Quest Contractors, Inc. for replacement of existing storm drain line and associated improvements.

Recommended Action

1. Award a construction contract for the Pumpkin-Fiesta Storm Drain Improvement Project (Project No. 2022-01) in the amount of \$1,545,708 to Con-Quest Contractors, Inc.;
2. Authorize the City Manager to execute the construction contract with Con-Quest Contractors, Inc. when all conditions have been met; and
3. Authorize the Director of Public Works to execute any necessary construction change orders up to a contingency amount of \$154,572 (10%) for a total authorized contract amount of \$1,700,280.

Reasons for Recommendation

On April 25, the City received seven bids for the construction of the Pumpkin-Fiesta Storm Drain Improvement Project. The project is the highest priority project in the 2018 City of Cupertino Storm Drain Master Plan, and consists of storm drainage improvements along Fiesta Lane, November Drive and September Drive. Work is anticipated to begin in June and be completed by October.



The following is a summary of bids deemed responsive:

Bidder	Bid Amount
Engineers Estimate	\$1,200,000.00
Con-Quest Contractors Inc.	\$1,545,708.00
JMB	\$1,630,301.00
Andersen	\$1,778,100.00
SubTerra	\$1,784,375.00
Mitchell	\$2,065,904.60
Daveney	\$2,259,440.00
Pacific Underground	\$2,295,350.00

The lowest bid, submitted by Con-Quest Contractors Inc., exceeds the engineer's estimate by 22% but is within the authorized project expenditure. Further, considering the current bid environment and the number of bids received for the project, the Department of Public Works has determined it is a fair bid and recommends awarding a construction contract to Con-Quest Contractors Inc.

The bid submission from Con-Quest Contractors. Inc. was thoroughly reviewed for completeness and the contractor's experience and qualifications are confirmed. It is determined that the Con-Quest Contractors. Inc. bid is the lowest responsive and responsible bid per the Instruction to Bidders and Cupertino Municipal Code.

The recommended authorized contract amount for this project construction includes a 10% contingency. Contingency amounts are a typical contracting best practice. A contingency of between ten and twenty percent is normal, with more complicated or large projects justifying a higher contingency amount, whereas more straightforward or smaller project can be managed with a lesser contingency.

Sustainability Impact

No sustainability impact.

Fiscal Impact

The Fiscal Year 2022-2023 CIP Budget includes the Pumpkin-Fiesta Improvement Project (budget unit 210-99-256 "Storm Drain Improvement", \$2,000,000 total funding). No additional project funding is requested.

California Environmental Quality Act (CEQA)

This project is exempt under CEQA Guidelines Section 15301(c) (repair and maintenance of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities).

Prepared by: Suyesh Shrestha, Public Works 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

Attachments:

A – Draft Contract

B – Project Manual

C – Project Plans