



CITY COUNCIL AGENDA REPORT

MEETING DATE: August 2, 2004

ITEM NUMBER:

SUBJECT: SOUND WALLS, RETAINING WALLS AND SLOPE IMPROVEMENTS ALONG THE WEST SIDE OF FAIRVIEW ROAD AND SOUTH OF THE SOUTHBOUND I-405 FREEWAY OFF-RAMP - CITY PROJECT NO. 04-14

DATE: JULY 21, 2004

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: WILLIAM J. MORRIS, DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUNOZ, CITY ENGINEER, (714) 754-5343

RECOMMENDATION:

1. Reject all bids.
2. Authorize the readvertisement of the project.

BACKGROUND:

The residents whose properties are located along the west side of Fairview Road, from the southbound I-405 Freeway off-ramp to McCormack Lane, requested the installation of block walls and fences to mitigate noise and safety impacts. The City Council, at their October 21, 2002 meeting, approved funding for the design and construction of sound walls and security fences within the above-referenced project limits.

Also approved under the 2003-2004 Fiscal Year Budget, is the rehabilitation of the existing retaining wall and landscaping between Fairview Road and the bike trail. This retaining wall, as it currently exists, is too short to properly support the slope above it. As a temporary measure, railroad ties have been added to contain some of the erosion, but more permanent measures need to be taken to prevent slope failure.

ANALYSIS:

On July 15, 2004, the Deputy City Clerk received and opened four bids for this project. There were bidding irregularities in all four of the bids.

The bid proposal from the apparent low bidder, Dalaj International Corporation, contained irregularities that were inconsistent with the proposal instructions, which rendered the proposal as non-responsive. The bid proposal from the second lowest bidder, R.J. Bullard Construction, was unsigned, which rendered the proposal as non-responsive. The bid proposal from the third lowest bidder, Beador Construction, was rendered non-responsive as the bidder's bond was not executed properly. The bid

proposal from the fourth lowest bidder, Palp, Inc. d.b.a. Excel Paving Company, contained irregularities that were inconsistent with the proposal instructions, which rendered the proposal as non-responsive.

Since none of the submitted bids were responsive to the notice inviting bids, staff is unable to evaluate the proposals to determine the lowest responsive and responsible bid. Therefore, staff recommends rejecting all bids and re-advertising the project. Re-advertisement of the project will not only allow other potential bidders to submit bids for the project, but will also allow those bidders who submitted incomplete proposals a chance to submit responsive bids.

ALTERNATIVES CONSIDERED:

The alternative to this recommendation is for Council to cancel the project. However, Council has previously approved the concept of this project and appropriated funding. Canceling the project would be inconsistent with the previous direction.

FISCAL REVIEW:

There is no fiscal impact at this time if all bids are rejected and the project is re-advertised as recommended.

Funding for this project in the amount of \$397,715 from the Capital Outlay Fund was approved via Budget Adjustment No. 03-052, and is available when this contract is awarded at a later date.

LEGAL REVIEW:

California Public Contract Code Section 20166 allows the legislative body, at its discretion, to reject any and all bids presented and to re-advertise the project.

CONCLUSION:

It is recommended that the City Council reject all bids; and authorize the re-advertisement of the project.

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

DISTRIBUTION: City Manager
Acting City Attorney
Deputy City Clerk
Staff
File

ATTACHMENTS: "1" [Bid Abstract](#)

File Name Reject All Bids Sound Walls Report Date 07-21-04

Time 1:15 p.m.