



CITY COUNCIL AGENDA REPORT

MEETING DATE: FEBRUARY 2, 2010

ITEM NUMBER:

SUBJECT: ROOF REPLACEMENT AT THE OLD CORPORATION YARD AT 2300 PLACENTIA AVENUE, COSTA MESA, CITY PROJECT NO. 09-25

DATE: JANUARY 21, 2010

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: PETER NAGHAVI, DIRECTOR, DEPARTMENT OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUÑOZ, CITY ENGINEER,
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RECOMMENDATION:

1. Reject all bids, and re-advertise the project at a future date.

BACKGROUND:

The roofing materials on the City's Old Corporation Yard building are exhibiting advanced deterioration. The roof was originally constructed in 1967, and a roof-over project was completed in 1989. The current roof no longer completely deters rainwater. The existing roof material has deteriorated to a point where complete removal of the roof to the existing roof deck is the most desirable course of action. In conjunction with the roof replacement, any asbestos containing materials must be remediated. In addition, a new roof would be required to maximize the reflectivity and insulation characteristics in compliance with Title 24 energy efficient standards.

City staff first advertised this project in 2008. At that time, the funding for the project was appropriated from the City's General Fund. Due to the economic climate and budget issues faced at that time, it was decided to defer the project until alternative funding sources could be identified or the General Fund balance recovered.

In March of 2009, the Federal Government announced plans to invest \$3.2 billion in energy efficiency and conservation projects. The Energy Efficiency and Conservation Block Grant program, funded by the American Recovery and Reinvestment Act provided formula grants for projects that reduce total energy use and fossil fuel emissions, and improve energy efficiency nationwide.

The City of Costa Mesa's grant allocation sums to \$1,123,500 for eligible energy-saving projects. The City Council directed that the Roof Replacement at the Old Corporation Yard would be included for funding under this program.

ANALYSIS:

On September 14, 2009, City staff re-advertised the project. On October 14, 2009, the City Clerk received and opened eighteen (18) bids for the project (Attachment 1).

The apparent low bidder, AWR, Inc. DBA All Weather Roofing submitted a bid in the amount of \$25,000.00. However, AWR, Inc. has requested to withdraw their bid from consideration on this project due to a clerical error made in the bidding documents. California Public Contract Code Section 5101(b) provides for criteria under which a bidder may request to have their bid withdrawn. A written clerical error by the bidder on the bidding documents falls within this criteria.

The second and third apparent low-bidders, Orion Construction and Solar Integrated Technologies, Inc., DBA SI Roofing & Technical Services submitted non-responsive bids because these firms are not certified by the manufacturer to install the specified products. Without the certification the manufacturer will not provide the specified thirty (30) year warranty to the City. Therefore, based on the foregoing, it is determined that these bids are non-responsive and therefore should be rejected by the City.

It is evident that there is some confusion among contractors about the certification requirements and the scope of work required to complete the project. Due to the discrepancies encountered with the bidders in terms of contractor certification, City staff feels that more clarification is required in the bidding documents to ensure that the bidders fully understand these requirements. Therefore, it is recommended that the City reject all bids and re-advertise the project.

ALTERNATIVES CONSIDERED:

An alternative to this Council action would be to award a contract to Peterson Dean Roofing and Solar Systems, the fourth lowest bidder in the amount of \$168,930. However, staff does not recommend this alternative since it is evident that there is ambiguity in the contract documents that needs to be clarified. Staff will revise the contract documents and provide additional clarifications to ensure that all bidders are competing on a level playing field.

FISCAL REVIEW:

No fiscal impact on this item. The City continues to move forward with the grant funding from the Department of Energy through the Energy Efficiency and Conservation Block Grant program.

LEGAL REVIEW:

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

CONCLUSION:

The advertisement and bid opening for the Roof Replacement at the Old Corporation Yard at 2300 Placentia Avenue, Costa Mesa, City Project No. 09-25 has been completed. It is recommended that the City Council reject all bids and re-advertise the Roof Replacement at the Old Corporation Yard at 2300 Placentia Avenue, Costa Mesa, City Project No. 09-25.

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

DISTRIBUTION: City Manager
Assistant City Manager
City Attorney
City Clerk
Maintenance Services Manager
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