



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Dave Snider, P.E., Interim Capital Projects Manager
Ray Steiger, P.E., Public Works Director

Date: August 25, 2011

Subject: CENTRAL WAY PEDESTRIAN ENHANCEMENTS -- PHASE II
REJECT ALL BIDS

RECOMMENDATION:

It is recommended that City Council reject all bids received on the Central Way Pedestrian Enhancements - Phase II Project. Additionally, it is recommended that City Council authorize staff to rebid the Project in the fall.

BACKGROUND DISCUSSION:

The Central Way Pedestrian Enhancements – Phase II Project will provide pedestrian and traffic calming improvements along the south side of Central Way, between Lake Street and 4th Street (Attachment A). The planned improvements are consistent with the 2001 *Downtown Strategic Plan* and include sections of new concrete sidewalk, new curb and gutter, and pedestrian “bump-outs” at crosswalks (Figure A). The Project also provides minor storm drainage improvements, some traffic signal modifications, and the installation of video detection equipment at the intersection of Central Way and Lake Street.



Figure A – Crosswalk bump out

The funding for the Project is a combination of grant funding (\$198,000 from the Federal Ped & Bike Safety Program) and City Capital Improvement Program funds (\$180,000) for a total Project budget of \$378,000 (Attachment B). With an engineer's construction estimate of \$210,000 the Project was first advertised on August 1, 2011, using the City's *Small Works Roster*. The City's current purchasing policy allows the use of the Small Works Roster bidding process on Public Works projects when the engineer's estimate for construction is under \$300,000. On August 18, 2011, only two contractor bids were received, as follows:

Contractor (with tax)	Total Bid
Engineer's Estimate	\$210,000.00
Kamins Construction	\$277,087.10
Valley Electric Company *	\$299,929.00

* lowest responsive bidder

As shown above, the low number of bidders did not produce a competitive bid result. The apparent low bid represents an amount that is 32% higher than the engineer's estimate, with the second low bid (lowest responsive bid) representing a 42% increase.

After the bids were received, Public Works staff performed a routine bid certification by generating the official bid tabulation and making sure that all bidder requirements had been fulfilled. Through that certification process it was discovered that the apparent low bidder was not on the City's official *Small Works Roster*, which was clearly defined as a requirement for bid submittal. As a result, the apparent low bidder was not technically eligible to submit a bid, thus making the second (and highest) bidder the "lowest responsive bidder".

Due to a less than expected outcome for contractor/bidder participation, with two bids that exceed the engineer's estimate by a significant amount, and due to the bidder irregularity described above, it is staff's recommendation that City Council reject all bids and authorize staff to re-advertise for contractor bids in the fall. In advance of a re-bid, staff will make adjustments to the bid documents by producing a more scalable project through the use of multiple work and bid item schedules. Additionally, staff will utilize the City's standard *Advertised Invitation to Bid Process* and the *Small Works Roster* in an attempt to reach the widest contractor audience in hopes of achieving a more competitive outcome.

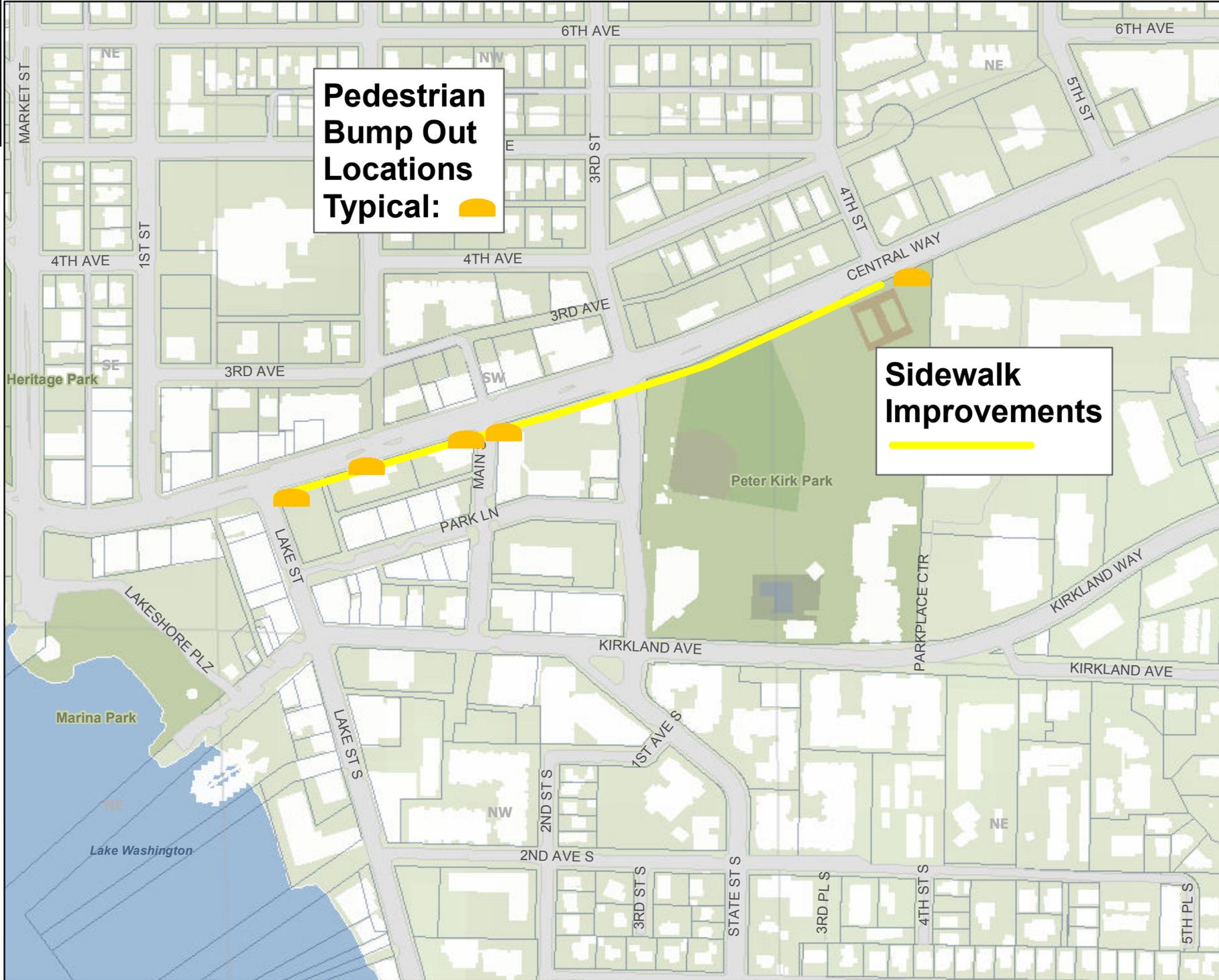
When reporting the results of the bid opening to the grant administrator for the Project, the Washington State Department of Transportation Local Programs Office, the Local Programs Engineer offered support for the above recommendation. That office also confirmed that the obligation of the grant funds allows for added time that will be needed to complete the Project.

Attachments: (2)

**Central Way
Pedestrian
Enh.
(Phase II-
South Side)
CNM-0065**

**Pedestrian
Bump Out
Locations
Typical:** 

**Sidewalk
Improvements**

-  Buildings
-  Road
-  Parks
-  Schools
-  Parcels
-  Lakes



Produced by the City of Kirkland.
© 2011, the City of Kirkland, all rights reserved. No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

Author:
Name: Kari Page
Date Saved: August 25, 2011

Central Way Pedestrian Enhancements (Phase II- South Side) Project (CNM-0065)

Project Budget Report

