

RESOLUTION NO. 20-10

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CASTLE PINES, COLORADO
TO RATIFY AND APPROVE THE EXECUTED CONTRACT WITH SCHMIDT
CONSTRUCTION COMPANY FOR THE 2020 PAVEMENT REHABILITATION PROJECT –
STREET IMPROVEMENT PROGRAM (PROJECT NO. 2020-PW-004)**

WHEREAS, the City of Castle Pines (“City”) solicited bids for the City’s 2020 Pavement Rehabilitation - Street Improvement Program, Project No. 2020-PW-004 (the “Project”) in accordance with Colorado law by posting an invitation for bid (“IFB”) on the Rocky Mountain E-Purchasing System; and

WHEREAS, City Staff and the City’s consulting engineer, Bohannon Huston (“BH”), have evaluated the unit price bids received from bidders together with the specific criteria set forth in the IFB to determine the responsible and responsive bidder for the Project; and

WHEREAS, BH has provided its written recommendation regarding the bid award to City Staff, a copy of which is attached as **Exhibit 1** to this Resolution; and

WHEREAS, a copy of the tabulated bid sheet for the Project is on file with the City Clerk’s Office; and

WHEREAS, it is the desire and intent of the City Council to award the construction contract to the responsible and responsive bidder who submitted a bid in compliance with the reasonable and stated specifications contained within the IFB; and

WHEREAS, the City Council, after full consideration of staff’s report of the bids submitted and the recommendations of City Staff and BH, finds that EDW. C. Levy Co., a Michigan corporation authorized to do business in Colorado and doing business as Schmidt Construction Company (the successful bidder, hereinafter the “Contractor”) submitted the responsible and responsive bid for the Project; and

WHEREAS, it is in the best interests of the City to award the bid for the Project to the Contractor in the not to exceed amount of Four Million Five Hundred Seventy-Four Thousand Eighty-Eight and 15/100 Dollars (\$4,574,088.15), based on the unit price(s) set forth in the Contractor’s bid and the estimated work quantities associated with the Project; and

WHEREAS, the City desires to ratify and approve a construction contract with the Contractor to have the Contractor perform the work described with particularity in the IFB and contract documents for the benefit of the City of Castle Pines, which construction contract is substantially in accordance with the form of contract set forth and included in the IFB and was approved by the City Attorney and executed by the City Manager (the “Construction Contract”).

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THAT:

Section 1. The City Council hereby (a) awards the Project to the Contractor in the not to exceed amount of Four Million Five Hundred Seventy-Four Thousand Eighty-Eight and 15/100 Dollars (\$4,574,088.15), and (b) ratifies and approves the Construction Contract.

Section 2. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ, AND ADOPTED A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF 7 IN FAVOR AND 0 AGAINST THIS 28th DAY OF APRIL, 2020.



DocuSigned by:
Tera Stave Radloff
6E0C8EB279DC479...
Tera Stave Radloff, Mayor

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:
Tobi Basile
AD03A3B02032499
Tobi Basile, CMC, City Clerk

DocuSigned by:
Linda C. Michow
5241DE99B8FE444
Linda C. Michow, City Attorney

EXHIBIT 1

[See attached.]



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Recommendation of Award

March 26, 2020

Larry Nimmo
Public Works Director
City of Castle Pines
360 Village Square Lane, Suite B
Castle Pines, CO 80108

Re: 2020-PW-004 Pavement Rehabilitation – Street Improvement Project
Recommendation of Award

Dear Mr. Nimmo,

On Friday, March 13th, 2020 at 2:00 pm, construction bids were opened for 2020-PW-004 the City of Castle Pines 2020 Pavement Rehabilitation – Street Improvement Program. The project was bid on a unit price cost basis. Final quantities may vary from those estimated in the Bid Schedule. A total of 3 bids were received before the scheduled Bid Opening. A tabulation of these bids is attached. A summary of the 3 bids is shown below:

Chavez Construction, Inc.	\$3,903,244.50
Schmidt Construction Company	\$4,574,088.15
Avery Asphalt, Inc.	\$4,930,926.75
<i>Engineer Estimate</i>	<i>\$4,565,602.91</i>

Bohannon Huston reviewed the requisite items included with these bids – all necessary forms were provided from Schmidt Construction and Avery Asphalt. Chavez Construction failed to provide the required Bond Form. We also performed a reference check for each of the contractors. Chavez Construction had multiple negative references regarding the administration of their construction contracts, including clerical and billing errors, as well as poor performance in hot mix asphalt paving operations. Additionally, Chavez Construction was unable to provide any reference projects of similar magnitude. Schmidt Construction Company has successfully performed this specific work for the City in the past and has a proven track record.

Based upon the bid provided and Schmidt's previous record of successful projects with the City, we recommend the award of the contract in the amount of **\$4,574,088.15** to **Schmidt Construction Company**. Please contact me if I can provide further information on this recommendation.

Sincerely,

Jared M Lee, PE, LEED AP
Vice President

Engineering ▲
Spatial Data ▲
Advanced Technologies ▲