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CITY OF SHORELINE

SHORELINE CITY COUNCIL SUMMARY MINUTES OF SPECIAL MEETING

Wednesday, August 6, 2003
7:30 p.m.

Shoreline Conference Center
Cromwell Room

PRESENT: Mayor Jepsen, Deputy Mayor Grossman Councilmembers Chang, Hansen, and Ransom

ABSENT: Councilmembers Gustafson and Montgomery

1. **CALL TO ORDER**

The meeting was called to order at 7:30 p.m. by Mayor Jepsen, who presided.

2. **FLAG SALUTE/ROLL CALL**

Mayor Jepsen led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present with the exceptions of Deputy Mayor Grossman and Councilmembers Gustafson and Montgomery.

Upon motion by Councilmember Hansen, seconded by Councilmember Chang and unanimously carried, Deputy Mayor Grossman and Councilmembers Gustafson and Montgomery were excused. Deputy Mayor Grossman then arrived at 7:35 p.m. and the motion was amended by consensus to reflect his presence.

3. **PUBLIC COMMENT:** none

4. **ACTION ITEM**

- (a) Motion to rescind the bid award to Grade, Inc., award the bid to Paul Brothers, Inc. for an amount not to exceed \$790,191.75 to complete the Interurban Trail South Section (N 145th Street to N 155th Street) Project and authorize the City Manager to execute a construction contract with Paul Brothers, Inc.

Steve Burkett, City Manager, explained that tonight's action to rescind the bid award to Grade, Inc. and award the bid to Paul Brothers, Inc. is the best option for keeping the Interurban Trail project on schedule.

Paul Haines, Public Works Director, explained that during the State's review of the bid documents for this project, an error was discovered on the Disadvantaged Business Enterprise (DBE) Utilization Certification and it was determined that Grade, Inc. did not meet the DBE requirements for a contract receiving federal grant funding. Therefore, staff recommends rescinding the bid award and awarding the bid to the next low bidder, Paul Brothers, Inc.

Councilmember Hansen moved to rescind the bid award to Grade, Inc., to award the bid to Paul Brothers, Inc. for an amount not to exceed \$790,191.75 to complete the Interurban Trail Section South Section (N 145th Street to N 155th Street) Project, and authorize the City Manager to execute a construction contract with Paul Brothers, Inc. Councilmember Chang seconded the motion.

Councilmember Hansen wished to ensure that the process will be changed so that such oversights do not happen in the future. Deputy Mayor Grossman emphasized the importance of paying attention to detail on a continual basis.

Mr. Haines assured Council that staff would pay special attention to the arithmetic on all future bids in order to prevent similar situations. He said the uniqueness of the DBE bid requirement on this project has increased awareness among staff about federal regulations.

Councilmember Ransom asked what measures have been taken to verify the work of Paul Brothers, Inc. Mr. Haines explained that staff has checked the references for Paul Brothers, Inc. and is confident they can do quality work.

Councilmember Ransom wondered why the bid from Paul Brothers, Inc. was significantly lower than other bids for this project. Mr. Haines noted that only two bids came in under engineer's estimates, so the City considers the majority of bids on this project as higher than expected.

Councilmember Ransom recalled a staff comment about the potential for lower than expected bids due to current market conditions. Mr. Haines said that lower than expected bids could be anticipated for very large or complex projects, but not on the smaller, well-defined projects such as the Interurban Trail.

Councilmember Chang was glad to know the screening process discovered this error and that the project will not be postponed.

Deputy Mayor Grossman thanked staff for resolving the issue in a timely manner so that the project can move forward.

A vote was taken on the motion, which carried 5 – 0, and the bid award to Grade, Inc. was rescinded, the bid was awarded to Paul Brothers, Inc. for an amount not to exceed \$790,191.75 to complete the Interurban Trail Section South Section (N 145th

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Street to N 155th Street) Project, and the City Manager was authorized to execute a construction contract with Paul Brothers, Inc.

Mayor Jepsen noted that the motion did not authorize the City Manager to increase this contract.

Ian Sievers, City Attorney, stated that the City Manager has the authority under the Purchasing Policies to sign change orders of up to \$50,000 as long as they are in the budget for the project. Mr. Haines added that this is a fairly simple project, and staff is confident that it can be done for the bid amount.

5. ADJOURNMENT

At 7:45 p.m., Mayor Jepsen declared the meeting adjourned.

Sharon Mattioli
City Clerk

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