

RESOLUTION 2020-013

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2019-15 TO TC CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$796,116.00 (BID SCHEDULES A AND B) FOR THE PAVEMENT IMPROVEMENTS AT SHELTER ISLAND PARKING LOTS PROJECT, AS AUTHORIZED BY THE BOARD IN THE FY19/20 MAJOR MAINTENANCE PROGRAM

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I; and

WHEREAS, the Board of Port Commissioners (Board) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials and equipment, and grants; and

WHEREAS, the Pavement Improvements at Shelter Island Parking Lots is identified in the District Asset Management Program (AMP) requiring repair and maintenance in FY19/20; and

WHEREAS, the plans and specifications define the contract work including crack seal, slurry seal and seal coat application on the existing asphalt pavement at parking lots #1A, #1B and #10; replacement of existing asphalt with new 4" asphalt pavement over 10" recycled base at parking lots #2 and #3; and pavement striping and markings at all parking lots (Attachment A to the corresponding agenda report- Location Map); and

WHEREAS, the Contract Documents including plans SI-2019-01 and specifications No. 2019-15 were issued for advertisement on December 11, 2019; and

WHEREAS, on January 14, 2020, the District received 12 bids ranging from \$789,700.00 to \$1,004,951.08. The responsive bids are listed on Attachment B to the corresponding agenda report. The lowest apparent responsive and responsible bid was submitted by MVC Enterprise Inc. (MVC) in the amount of \$789,700.00; and

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WHEREAS, the apparent second lowest bidder, TC Construction Company Inc. (TC), protested MVC's bid claiming it is non-responsive for failure to meet the Small Business Enterprise (SBE) requirements of the specification (Attachment C to the corresponding agenda report); and

WHEREAS, MVC responded to the protest (Attachment D to the corresponding agenda report); and

WHEREAS, at the February 11, 2020 Board meeting TC and MVC were given the opportunity to present their protest or response, and field questions from the Board, followed by discussion by the Board; and

WHEREAS, after hearing from TC and MVC and discussion, the Board voted to sustain the bid protest of TC against the bid of MVC

WHEREAS, staff recommended that the Board approve the plans and specifications and award Contract No. 2019-15 to TC Construction Company Inc. in the amount of \$796,116.00 (Bid Schedules A and B) for the Pavement Improvements at Shelter Island Parking Lots, San Diego, California.

NOW THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, hereby approves the plans and specifications, and awards Contract No. 2019-15 to TC Construction Company Inc. in the amount of \$796,116.00 (Bid Schedules A and B) for the Pavement Improvements at Shelter Island Parking Lots, San Diego, California, as authorized by the Board in the FY19/20 Major Maintenance Program.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL



By: Assistant/Deputy

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PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11th day of February 2020, by the following vote:

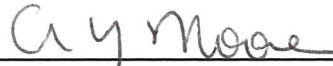
AYES: Bonelli, Castellanos, Merrifield, Moore, and Zucchet

NAYS: None.

EXCUSED: Malcolm, and Valderrama

ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Donna Morales
District Clerk

