

Agenda Report

TO: CITY COUNCIL

April 5, 2004

FROM: CITY MANAGER

SUBJECT: RESCIND CONTRACT NUMBER 18,450 WITH DESIGN SPACE MODULAR BUILDINGS, AND AWARD A CONTRACT TO BRANDALL MODULAR CORPORATION.

RECOMMENDATION

It is recommended that the City Council: i) rescind contract number 18,450 with Design Space Modular Buildings for the provision of modular trailers during the retrofit of City Hall, and ii) authorize a contract with Brandall Modular Corporation for the provision of modular trailers in an amount not to exceed \$610,244.

BACKGROUND

On March 8, 2004, the City Council approved a contract with Design Space Modular Buildings, in an amount not to exceed \$595,285, for the three-year lease of approximately 13,000 square feet of modular trailers for interim office space during the seismic retrofit of City Hall.

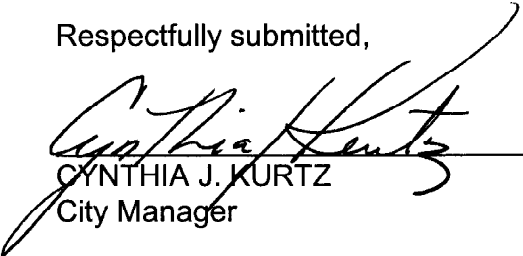
Subsequent to this, staff commenced preparation of the contract documents covering the setup, occupancy, and teardown of the modular office space. When the final contract document was tendered to Design Space Modular Buildings, the firm indicated that its ability to meet the strict project schedule was predicated on receiving a notice to proceed no later than February 20th. Design Space will not be able to complete the modular office set-up until July 27, 2004, which is substantially after the date required by the specification, May 14, 2004.

Given the contractor's inability to meet the specified project schedule, coupled with the fact that in order to be considered responsive a bidder may not qualify its bid in any way, staff recommends rescinding the contract awarded to Design Space Modular Buildings on this basis, and awarding a contract to the second bidder, Brandall Modular Corporation. Brandall has committed to completing modular office set-up within the project schedule. The difference in price between the Brandall and Design Space bids is \$14,959: \$610,244 vs. \$595,285, respectively.

FISCAL IMPACT

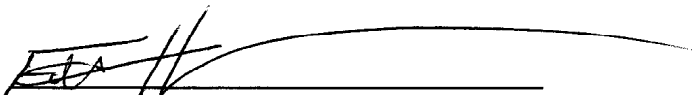
Funding for the lease of modular buildings is provided for in the City Hall Seismic Retrofit Project budget account 301-767100-71904.

Respectfully submitted,



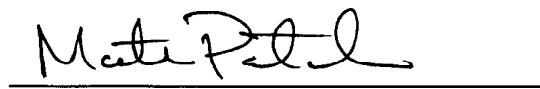
CYNTHIA J. KURTZ
City Manager

Prepared by:



FOSTER HILDRETH
City Hall Seismic Retrofit Project Manager
Department of Public Works

Approved by:



MARTIN PASTUCHA, Director
Department of Public Works