

MEMORANDUM

To: John Fales, Medford Director of Public Works

From: Michael C. Stoffel, PE

Date: February 28, 2019**Project No.:** 23-1745.00

Re: 2019 Street & Utility Improvements

Bids for the 2019 Street and Utility projects were opened at 10:00am February 28, 2019 at the Medford City Hall. The bids were structured as two separate contracts. Contract 1 consisted of the reconstruction of Luepke Way. Contract 2 was for the watermain associated with the State Street bridge and Wisconsin Avenue.

Four bids were received for Contract 1 and two bids were received for Contract 2. Contract 1 ranged in price from \$232,444.00 to \$342,976.80 and Contract 2 ranged in price from \$236,578.98 to \$250,537.00.

All bidders provided bid bonds, there were no math errors in the bids, and there were no addendums. One irregularity of importance is that Francis Melvin, Inc. only provided a 5% bid bond (10% required) as part of the bid submittal. Following up with them, they provided an email (See attached) whereby all at one time they had ordered bid bonds for 3 different communities who have projects they are bidding. Two of those communities required a 5% bid bond and this project required a 10% bid bond. Their request correctly asked for 10% for this project and the request was dated prior to the bid opening. Inadvertently the bonding company incorrectly provided the same 5% for all three requests of which the contractor assuming the bond was correct, attached to the bid without verification. The contractor did deliver the correct 10% bid bond to the City at approximately 10:30 am the same day. The City Council has the right to waive informalities in the bidding process as they see fit. This could be considered an informality as it appears the contractor intended to provide the correct bid security, requested the correct security prior to the bid deadline, attached the bid security they received believing it was correct, and did actually provide the correct security in short order when informed of the issue.

The following table summarizes the bids received.

Bidder	Contract 1 Bid	Rank	Contract 2 Bid	Rank
Francis Melvin, Inc.	\$232,444.00	1	No Bid	
Switlick & Sons, Inc.	\$245,950.80	2	No Bid	
Haas Sons, Inc.	\$311,244.42	3	\$236,578.98	1
A-1 Excavating, Inc.	\$342,976.80	4	\$250,537.00	2

The lowest bidder for Contract 1 is Francis Melvin, Inc. The City of Medford has worked with this contractor many times in the past and is familiar with their staff, and their work. A statement of bidder's qualifications was submitted. Subcontractors Identified: American Asphalt for the asphalt paving, Sampson Concrete for the concrete work, and Marathon Lawn for the restoration work.

The lowest bidder for Contract 2 is Haas Sons, Inc. The City of Medford has not worked with this contractor recently, but Ayres Associates has and is familiar with their staff, and their work. A statement of bidder's qualifications was submitted. Subcontractors Identified: American Asphalt for the asphalt paving, Sampson Concrete for the concrete work, Hansen for the restoration work, and M & E Construction for the bursting and directional drilling.

If the City Council is willing to waive the bid bond informality, I recommend the City choose the lowest responsible bidder of Francis Melvin, Inc for Contract 1 and Haas Sons, Inc. for Contract 2. Otherwise if the council is not willing to waive the informality, I recommend the City reject Melvin's bid as incomplete and choose the next lowest and responsible bidder Switlick and Son's, Inc for Contract 1.