



Tahoe-Truckee Sanitation Agency
Special Board Meeting
February 28, 2018

TAHOE-TRUCKEE SANITATION AGENCY

A Public Agency
13720 Butterfield Drive
TRUCKEE, CALIFORNIA 96161
(530) 587-2525 • FAX (530) 587-5840



Directors

S. Lane Lewis: President
Dale Cox: Vice President
Jon Northrop
Dan Wilkins
Blake Tresan

General Manager

LaRue Griffin

BOARD OF DIRECTORS SPECIAL MEETING NOTICE AND AGENDA

Date: February 28, 2018

Time: 9:00 AM

Place: Board Room, Tahoe-Truckee Sanitation Agency, 13720 Butterfield Drive, Truckee, California

All or portions of this meeting will be conducted by teleconferencing in accordance with Government Code section 54953(b). The following is the teleconferencing location: 3413 Punta Alta, Unit N, Laguna Woods, CA 92637. This location is accessible to the public, and members of the public may listen to the meeting and address the Board of Directors from this teleconference location.

Members of the public will have the opportunity to directly address the Agency Board of Directors concerning any item listed on the Agenda below before or during consideration of that item. To better accommodate members of the public and staff, some Agenda items may be considered in an order different than listed below.

I. Call to Order, Roll Call, and Pledge of Allegiance

II. **Public Comment** Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject that is within the jurisdiction of Tahoe-Truckee Sanitation Agency and that does not appear on the agenda. Any matter that requires action may be referred to staff for a report and action at a subsequent Board meeting. Please note there is a five (5) minute limit per person. In addition to or in lieu of public comment, any person may submit a written statement concerning Agency business to be included in the record of proceedings and filed with the meeting minutes. Any such statement must be provided to the recording secretary at the meeting.

III. Regular Agenda

1. Approval to award the 2018 Clarifier Painting Project.

IV. Adjournment

Posted and Mailed, 02/23/18



LaRue Griffin
Secretary to the Board

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Roshelle Chavez at 530-587-2525 or 530-587-5840 (fax). Requests must be made as early as possible, and at least one-full business day before the start of the meeting.

Documents and material relating to an open session agenda item that are provided to the T-TSA Board of Directors less than 72 hours prior to a regular meeting will be available for public inspection and copying at the Agency's office located at 13720 Butterfield Drive, Truckee, CA.

From: LaRue Griffin, General Manager

Meeting Date: February 28, 2018

Item: I

Subject: Call to Order, Roll Call, and Pledge of Allegiance.

From: LaRue Griffin, General Manager

Meeting Date: February 28, 2018

Item: II

Subject: Public Comment.

Background: Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject that is within the jurisdiction of Tahoe-Truckee Sanitation Agency and that does not appear on the agenda. Any matter that requires action may be referred to staff for a report and action at a subsequent Board meeting. There is a five (5) minute limit per person.

From: LaRue Griffin, General Manager

Meeting Date: February 28, 2018

Item: III-1

Subject: Approval to award the 2018 Clarifier Painting project.

Background: The 2018 Clarifier Painting project consists of surface preparation and coating of rake arm mechanism, steel supports, miscellaneous steel, and piping for Primary Clarifier No. 2, Primary Clarifier No. 3, and Chemical Clarifier No. 2. Also included are the handling, containment, testing, and disposal of hazardous and non-hazardous materials and wastes.

The following bids were received on February 5, 2018.

Bidder	Amount
F.D. Thomas, Inc.	\$291,475
Farr Construction California dba Resource Development Company	\$419,000
Jeffco Painting & Coating, Inc.	\$443,460

Attached is the staff report for consideration of bid award.

Fiscal Impact: \$291,475

Previous Board Action: The Board approved to solicit bids for the project at the January 10, 2018 Board meeting.

Recommendation: Management recommends the Board of Directors waive the bid irregularities, accept the proposed subcontractor substitution of Big Water Welding with Newman Welding, and award the bid to F.D. Thomas, Inc.



T-TSA Memo

Date: February 23, 2018
To: LaRue Griffin, General Manager
From: Jay Parker, Engineering Manager
RE: 2018 Clarifier Painting Project

In January, T-TSA advertised and bid the 2018 Clarifier Painting Project (Project). A total of three bidders attended the mandatory bid meeting and submitted bids for the project. The apparent low bidder is F.D. Thomas, Inc (FDT) with a total bid price of \$291,475. This bid price is significantly lower than both the next bidder's bid price and the engineer's budgetary estimate which were \$419,000 and \$450,000, respectively.

The bid submitted by FDT had a few errors, all of which could potentially be waived as minor irregularities. This memorandum summarizes these irregularities and presents a recommendation for action by the T-TSA Board of Directors.

The first set of irregularities relates to a few minor math errors in the Bid Schedule. The first error was in Bid Item No. 27, which listed the price as \$8.00 per linear foot. The total take-off quantity for this bid item was shown as 100 linear feet. Multiplying these two figures together, the bidder listed a total bid amount of \$1,200.00. The correct math would have yielded \$800.00. Section 4 INSTRUCTION TO BIDDERS, Paragraph 4.12 DISCREPANCIES states, "in the case of discrepancy between unit prices and totals, unit prices will prevail."

Another minor math error was made in calculating the total bid price in the Bid Schedule. When all of the bid items were added up by staff, they totaled \$291,475.00 (this figure reflects the sum of all corrected total bid amounts). This total was \$2,800.00 greater than what the Contractor had written in for the total bid price.

California law generally allows a public agency to waive a bid irregularity so long as the irregularity does not provide the bidder an unfair advantage. The bidder agreed in advance that the Agency will rely on unit quantities in calculating the final bid. The bidder's error in summing the bid schedule does not appear to make its bid material different than what it was intended to be. Therefore, the two math errors have been determined to be immaterial and the corrected total bid price of \$291,475.00 reflects these minor fixes.

Another irregularity in the bid relates to one of the two subcontractors that FDT had listed. The bidder listed Big Water Welding (BWW) for the required welding work at a value of \$8,400. On review of the bids, staff discovered that Big Water Welding is not registered with the Department of Industrial Relations (DIR) as being a contractor that is qualified to perform work in California. By law, the Agency cannot contract with a bidder if one of its listed subcontractors is not registered with DIR. However, the Labor Code states that "an inadvertent error in listing a subcontractor who is not registered [with the DIR public works contractor program] in a bid proposal shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive...".

Agency staff contacted FDT, notified them of the issue surrounding BWW, and provided them with a number of steps that would be required to enable T-TSA to find their bid responsive with respect to this issue. In response, FDT proposed a substitute subcontractor, Newman Welding, at the same price as what had been presented in FDT's original bid. Following FDT's proposal, the Agency notified BWW of FDT's proposed substitution using Newman Welding and specified a timeframe in which BWW could file an objection. On February 22, 2018, FDT sent T-TSA correspondence from BWW that gives full consent to FDT to substitute another welding subcontractor that is registered with DIR for the 2018 Clarifier Painting Project.

All other aspects of FDT's bid have been found to be in compliance with the stated requirements.

It is staff's recommendation that the T-TSA Board of Directors waive the above-noted bid irregularities, accept FDT's proposed substitution of BWW with Newman Welding, and award the bid to FDT.