



AGENDA BILL

Agenda Subject: Award Contract - 10 th & Front Garage Structural Concrete Repairs – Phase 2 Project		Date: December 12, 2022
Staff Contact: Aaron Nelson, Parking & Facilities Manager Kathy Wanner, Contracts Manager	Attachments: A. Resolution 1794 B. Bid Results C. Bid Received from Consurco, Inc.	
Action Requested: Adopt Resolution 1794 awarding the contract for the 10 th & Front Garage Structural Concrete Repairs – Phase 2 Project to Consurco, Inc.		

Background:

The 10th & Front Garage was completed in 1979 and is the oldest garage in the CCDC/ParkBOI system. Structural assessments in 2017 revealed potential damage to the concrete and underlying steel rebar due to chloride infiltration. Since then, the Agency has undertaken a series of rehabilitation projects on various levels of the garage, including the significant partial and full depth repairs last year on level 2. This project will take place on level 4 and will involve partial depth restoration to remove the actively corroding rebar and concrete and replace it with new epoxy coated rebar and concrete. The repairs will add 12-15 years of service life to level 4. Rehabilitation on additional levels may be necessary in two to five years. Annual net revenue of the 10th & Front Garage in FY 2022 was approximately \$832,000.

Procurement Process:

State law requires a formal, sealed bid process for public works construction projects exceeding \$200,000 and selection of the lowest responsive bidder. The Agency advertised an Invitation to Bid for the 10th & Front Garage Structural Concrete Repairs – Phase 2 Project in the Idaho Statesman newspaper on October 11 and October 18, 2022. In an effort to receive as many competitive bids as possible, a notice also was emailed to the plan rooms at the Idaho Association of General Contractors (AGC) and Idaho Blueprint as well as to five (5) separate public works contractors holding the requisite public works license. A non-mandatory pre-bid meeting was held over Zoom on October 20, 2022. Five contractors attended the pre-bid meeting. One addendum was issued on November 3, 2022.

Four (4) bids were received by the November 9 deadline:

Company	Bid Amount
Consurco, Inc.	\$790,997
John Rohrer Contracting Company	\$1,050,563
Sawtooth Caulking, Inc.	\$1,619,154
Restructure- A Division of Structural	Non-responsive

Part of the administrative review process is to verify the responsiveness of the bids. Responsiveness includes possession of a valid Idaho public works license prior to bid opening in accordance with Idaho Code § 54-1902; inclusion of the list of subcontractors in accordance with Idaho Code § 67-2310; and acknowledgement of any addendums issued prior to the bid date in accordance with § 67-2805(2)(a). One company, *Restructure-A Division of Structural*, did not have the required public works license, failed to provide the required list of subcontractors, and failed to acknowledge the addendum issued on November 3, 2022. Therefore, *Restructure-A Division of Structural* has been deemed non-responsive to this bid.

The other three bidders met all required submission criteria, and each bidder has appropriate and valid public works contractor licenses.

Fiscal Notes:

The Agency's FY2023 budget includes sufficient funding for this project. While the Agency noted that the bids received varied significantly, it was determined that Consurco's local presence in the Treasure Valley allows Consurco to realize strong savings in its mobilization costs which in turn allows for the much lower, winning bid.

Staff Recommendation:

The Board adopt Resolution 1794 recognizing Consurco, Inc. as the lowest responsive bidder for the Project and awarding the 10th & Front Garage Structural Concrete Repairs – Phase 2 Project to Consurco, Inc. for the total amount of \$790,997.

Suggested Motion:

I move to adopt Resolution 1794 recognizing Consurco, Inc. as the lowest responsive bidder; awarding the 10th & Front Garage Structural Concrete Repairs – Phase 2 Project to Consurco, Inc. for a total amount of \$790,997; and authorizing the Executive Director to execute the contract and expend funds.

**ATTACHMENT A
RESOLUTION 1794**

RESOLUTION NO. 1794

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BOISE CITY, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BOISE CITY, IDAHO, FINDING CONSURCO, INC. SUBMITTED THE LOWEST RESPONSIVE BID FOR THE 10TH & FRONT GARAGE STRUCTURAL CONCRETE REPAIRS – PHASE 2 PROJECT; AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A PUBLIC WORKS CONSTRUCTION CONTRACT BETWEEN THE AGENCY AND CONSURCO, INC. TO UNDERTAKE AND COMPLETE THE 10TH & FRONT GARAGE STRUCTURAL CONCRETE REPAIRS – PHASE 2 PROJECT; AUTHORIZING THE EXPENDITURE OF FUNDS INCLUDING A CONTINGENCY FOR UNFORESEEN EXPENSES; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION is made on the date hereinafter set forth by the Urban Renewal Agency of Boise City, Idaho, an independent public body, corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, and the Local Economic Development Act, as amended and supplemented, Chapter 29, Title 50, Idaho Code (collectively, the “Act”), as a duly created and functioning urban renewal agency for Boise City, Idaho (hereinafter referred to as the “Agency”).

WHEREAS, the Agency has the need for significant structural concrete repairs to its 10th & Front Garage; and,

WHEREAS, Idaho Code § 67-2805(2)(a) provides for a competitive sealed bidding process for procurement of public works construction valued in excess of \$200,000; and,

WHEREAS, the Agency issued an Invitation to Bid for the 10th & Front Garage Structural Concrete Repairs - Phase 2 Project (the “Project”) on October 11, 2022, and published the requisite public notice of the Invitation to Bid in the *Idaho Statesman* newspaper on October 11 and October 18, 2022; and,

WHEREAS, the Agency’s Invitation to Bid set forth specific bidding procedures and specifications that the Agency considered to be in its best interest and critical to its ability to receive the exact services sought to be procured, including acknowledgment of Agency issued addendums, submission of a responsive sealed bid by a licensed public works contractor, and an affidavit concerning taxes; and,

WHEREAS, on November 3, 2022, the Agency issued Addendum No. 1 for the Project to revise certain details about the Project and to answer one question raised at the non-mandatory pre-bid meeting held on October 20, 2022; and,

WHEREAS, the Agency received four (4) sealed bids by the due date and time of 3:00 p.m. on November 9, 2022; and,

WHEREAS, the administrative requirements of the bidding process for the Project required that bidders hold a valid Idaho public works license prior to bid opening, that bidders

name the subcontractors who will perform any plumbing, electrical, HVAC work, and that bidders acknowledge any addendums issued on the submitted bid form; and,

WHEREAS, the Agency determined that the bid received from Restructure – A Division of Structural (“Restructure”) was non-compliant with the administrative requirements of the bidding process for the Project and therefore cannot be considered by the Agency Board because Restructure: a.) did not hold a valid Idaho public works license prior to bid opening, in accordance with Idaho Code § 54-1902; b.) failed to list the required subcontractors on its bid, in accordance with Idaho Code § 67-2310; and c.) failed to acknowledge the addendum issued by the Agency on November 3, 2022, in accordance with Idaho Code § 67-2805(2)(a); and,

WHEREAS, Consurco, Inc., John Rohrer Contracting Company, and Sawtooth Caulking each held the requisite Idaho public works license prior to bid opening, and the bids received from these companies were in compliance with the Agency’s administrative requirements of the bidding process for the Project; and,

WHEREAS, the bid received from Consurco, Inc. in the amount of SEVEN HUNDRED NINETY THOUSAND NINE HUNDRED NINETY-SEVEN DOLLARS (\$790,997) was the lowest responsive bid submitted; and,

WHEREAS, the Agency recommends the Agency Board award the construction contract for the Project to Consurco, Inc. as the lowest responsive bidder; and,

WHEREAS, the Agency Board finds it in the best public interest to award the construction contract to Consurco, Inc., to complete the Project for the bid amount and to authorize the Agency Executive Director to execute a public works construction contract with Consurco, Inc., for same.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BOISE CITY, AS FOLLOWS:

Section 1: That the above statements are true and correct.

Section 2: That the Board hereby finds that on November 9, 2022, Consurco, Inc. submitted the lowest responsive bid for the 10th & Front Garage Structural Concrete Repairs – Phase 2 Project.

Section 3: That the Agency Executive Director is hereby authorized to execute a public works construction contract with Consurco, Inc. for the total bid amount of SEVEN HUNDRED NINETY THOUSAND NINE HUNDRED NINETY-SEVEN DOLLARS (\$790,997), consistent with the Agency Board’s stated instructions at the December 12, 2022, Agency Board meeting; and further, is hereby authorized to execute all necessary documents required to implement the actions contemplated by the contract, subject to representations by Agency legal counsel that all conditions precedent to those actions and the contract or other documents are acceptable and consistent with the comments and discussions received at the December 12, 2022, Agency Board Meeting.

Section 4: That the Agency Executive Director is authorized to expend funds for the total bid amount of \$790,997 plus up to 10% of that amount for construction contingencies if determined necessary in his best judgement.

Section 5: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of Boise City, Idaho, on December 12, 2022. Signed by the Chair of the Agency Board of Commissioners and attested by the Secretary to the Agency Board of Commissioners on December 12, 2022.

DocuSigned by:
URBAN RENEWAL AGENCY OF BOISE CITY
Commissioner Latonia Haney Keith
6D1092AB0583453...

By: _____
Latonia Haney Keith, Chair

ATTEST: DocuSigned by:
Lauren McLean
0E3B7224A4E0425...

By: _____
Lauren McLean, Secretary

ATTACHMENT B
BID RESULTS

**10TH & FRONT GARAGE STRUCTURAL CONCRETE REPAIRS PHASE 2****BIDS DUE: NOVEMBER 9, 2022 - 3:00 PM****Bid Results**

CONTRACTOR	PWC License	Signed Contractor's Affidavit Concerning Taxes	Addendum #1 Acknwldgd	Subcontractor List per Idaho Code § 67-2310	Completed Signed Bid Form	BID AMOUNT
Sawtooth Calking Inc.	51774	yes	yes	yes	yes	\$1,619,154.00
Consurco	PWC-C-14819	yes	yes	yes	yes	\$790,997.00
Restructure	No	yes	no	blank	yes	Non-Responsive
JRCC	12706	yes	yes	yes	yes	\$1,050,563.00

**ATTACHMENT C
BID SUBMITTED BY
CONSURCO, INC.**

SECTION 00 41 13 BID FORM

BID FORM

PROJECT: 10th & FRONT GARAGE STRUCTURAL CONCRETE REPAIRS PROJECT – PH 2

THIS BID IS SUBMITTED TO:

Capital City Development Corporation
Attn: 10th & Front Garage Structural Concrete Repairs Project – PH 2
Via email: bids@ccdcboise.com

- 1.01 The undersigned Bidder proposes and agrees to enter into a Contract with CCDC in the form included in the Project Manual to perform all the Work as specified or indicated in the Project Manual for the prices indicated in this Bid and in accordance with the other terms and conditions of the Project Manual.
- 1.02 Bidder accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The Bid will remain subject to acceptance for sixty (60) days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of CCDC.
- 1.03 Within thirty (30) days from receiving a written notice of acceptance of this Bid, Bidder shall execute the Contract and shall deliver evidence of required insurance coverages and bonds in the amounts required by the Contract.
- 1.04 In submitting this Bid, Bidder represents, as set forth in the Contract and Project Manual, that:

- a. Bidder has examined and understands the Project Manual and the following Addenda:

Addendum No.

Addendum Date

1

11/03/2022

- b. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- c. Bidder is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect cost, progress, and performance of the Work.
- d. Bidder has carefully studied: 1.) all reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site which have been identified in the Project Manual; and 2.) all reports and drawings of a Hazardous Environmental Condition, if any, which has been identified in the Project Manual.
- e. Bidder has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Project Manual to be employed by Bidder, and safety precautions and programs incident thereto.

- f. Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Project Manual.
 - g. Bidder is aware of the general nature of work to be performed by CCDC and others at the Site that relates to the Work as indicated in the Project Manual.
 - h. Bidder has correlated the information known to Bidder, information and observations obtained from visits to the Site, reports and drawings identified in the Project Manual, and all additional examinations, investigations, explorations, tests, studies, and data with the Project Manual.
 - i. Bidder has given CCDC written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder discovered in the Project Manual, and the written resolution thereof by CCDC is acceptable to Bidder.
 - j. The Project Manual is generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
 - k. Bidder is responsible for ascertaining the existence of any addenda and the contents thereto.
- 1.5 Bidder represents that this Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any individual or entity to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over CCDC.
- 1.6 Bidder will complete the Work in accordance with the Contract Documents for the lump sum given, which includes all taxes. Unit prices have been computed in accordance with the General Conditions. Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Work Item Quantities listed in the Supplement to Bid Form will be based on actual quantities provided, determined as provided in the Contract Documents.
- 1.7 Bidder agrees that the Work will be substantially completed and fully completed ready for final payment in accordance with General Conditions on or before the dates or within the number of calendar days indicated in the Contract Documents. Bidder accepts the provisions of the Contract as to liquidated damages in the event of failure to complete the Work within the times specified.
- 1.8 Bidder agrees to comply with Idaho Code § 44-1001 through 44-1006 regarding employment of Idaho residents.
- 1.9 The following documents are attached to and made a condition of this Bid: 1.) Supplement to Bid Form; and 2.) Contractor's Affidavit Concerning Taxes.
- Bidder agrees to include with the Bid the names and addresses and Idaho Public Works Contractor License numbers of the Subcontractors who shall, in the event the Bidder secures the Contract, subcontract the plumbing, heating and air-conditioning work, and electrical work under the general Contract.
- 1.10 **WAIVER & RELEASE:** Bidder has read and fully accepts CCDC's discretion and non-liability as stipulated herein, expressly for, but not limited to, CCDC's decision to proceed with a selection process in response to the Invitation to Bid, including the right in its sole discretion and judgment for whatever reason it deems appropriate, at any time unless contrary to applicable state law, to:
- a. Modify or suspend any and all aspects of the process seeking a contractor to construct Project.
 - b. Obtain further information from any person, entity, or group, including, but not limited to, any person, entity, or group responding to CCDC's Bid Invitation (any such person, entity, or group responding is, for convenience, hereinafter referred to as "Bidder"), and to ascertain the depth of Bidder's capability and experience for construction of Project and in any and all other respects to meet with and consult with any Bidder or any other person, entity, or group.
 - c. Waive any formalities or defects as to form, procedure, or content with respect to its Bid Invitation and any responses by any Bidder thereto.

- d. Accept or reject any sealed Bid received in response to the Bid Invitation, including any sealed Bid submitted by the undersigned; or select any one submission over another.
- e. Accept or reject all or any part of any materials, plans, drawings, implementation programs, schedules, phrasings and proposals or statements, including, but not limited to, the nature and type of Bid.

Bidder agrees that CCDC shall have no liability whatsoever, of any kind or character, directly or indirectly, by reason of all or any decision made at the discretion of CCDC as identified above.

SUBCONTRACTORS

Pursuant to Idaho Code § 67-2310, commonly known as the naming law, the names and addresses of subcontractors to whom work will be awarded, subject to approval of CCDC and Architect, are as listed below. If such work is not required, Bidder will indicate "Not Applicable" in the list below. In the event that the general (Trade) contractor intends to self-perform the plumbing, HVAC, or electrical work, the general contractor must be properly licensed by the state of Idaho to perform such work. The general (Trade) contractor shall demonstrate compliance with this requirement by listing the valid contractor's license number for the plumbing, HVAC, or electrical work to be self-performed by the general contractor on the bid form.

**FAILURE TO NAME SUBCONTRACTORS AS REQUIRED BY IDAHO CODE
SHALL RENDER ANY BID SUBMITTED NON-RESPONSIVE AND VOID.**

Plumbing

N/A

Address:

Public Works License No.

Idaho Plumbing Contractors License No.

Heating & Air Conditioning

N/A

Address:

Public Works License No.

Idaho HVAC Contractors License No.

Electrical

N/A

Address:

Public Works License No.

Idaho Electrical Contractors License No.

BASE BID - OFFER

All the work described in the Project Manual, Bid Drawings and Specifications.


Seven-Hundred & Ninety-Thousand, Nine-Hundred & Ninety Seven Dollars & Zero Cents

(\$ 790,997.00) Dollars, lawful money of the United States.

[Show amounts in both words and figures; in event of discrepancy, the amount in words shall govern.]

BID FORM SIGNATURE

SUBMITTED on 11 / 9, 2022.

X 
SIGNATURE

Jose Chavez - Mountain West Vice President
Print Name and Title

Consurco
Contractor / Company

621 E. King St.
Address

Meridian, ID 83651
City, State, Zip

RCE - 7257
Idaho Public Works Contractor License No.

1/10/2023
License Expiration Date

EIN: 43-1920012
Federal Tax ID #

Jose.Chavez@consurco.com
E-mail Address

208-608-0531
Phone No.

N/A
Fax No.

ATTENTION: Did you remember your Supplement to Bid Form and Contractor's Affidavit Concerning Taxes? Supplement to Bid Form and Contractor's Affidavit Concerning Taxes are **REQUIRED**.

IF SUPPLEMENT TO BID FORM, AND CONTRACTOR'S AFFIDAVIT ARE NOT INCLUDED, YOUR BID WILL BE CONSIDERED NON-RESPONSIVE.

END OF SECTION 00 41 13

SECTION 00 43 10 SUPPLEMENT TO BID FORM
EXECUTE AND SUBMIT WITH BID

All Bidders must provide unit prices for the items listed below. These unit prices apply to and shall be the same for Base Bid and any subsequent and approved Change Orders.

Schedule A: Work Item and Change Order Schedule					
Item No.	Work Items (Refer to Sheet G-02 for Description)	Unit of Measure	Est. Quantity	Unit Price (\$/Unit)	Extension
1	0100 Mobilization / Demobilization / General Conditions	LS	1	10,374.00	
2	0200 Partial Depth Slab Repair	SF	7,600	65.79	
3	0300 Full Depth Slab Repair	SF	320	249.84	
4	0400 Overhead Ceiling Repair	SF	245	61.22	
5	0500 Vertical Column Repair	SF	30	566	
6	0600 Epoxy Injecting Cracks in Slab and Spandrel	LF	25	200	
7	0700 Rout and Seal Construction Joints	LF	7,380	5.42	
8	0800 Install New Cove Sealant	LF	340	14.70	
9	0900 Supplemental Reinforcement	LBS	1,000	40	
10	1000 Cleaning Rust & Painting Exterior Awning Members and Connections	EA	3	7,154	
11	1100 Repair Beam End Bearings	EA	4	7,154	
12	1200 Replace Bearing Pads at Beam End Bearings	EA	4	7,154	

LS=lump sum, SF=square foot, LF=lineal foot, LBS=pounds, EA=each

SUBMITTED on 11/9/, 2022.

X

SIGNATURE

Jose Chavez - Mountain West Vice President
 Print Name and Title

Consurco

Contractor / Company

621 E. King St.

Address

Meridian, ID 83651

City, State, Zip

RCE - 7257

Idaho Public Works Contractor License No.

1/10/2023

License Expiration Date

EIN: 43-1920012

Federal Tax ID #

Jose.Chavez@consurco.com

E-mail Address

208-608-0531

Phone No.

N/A

Fax No.

END OF SECTION 00 43 10

SUPPLEMENT TO BID FORM

00 43 10 - 1

SECTION 00 45 46 CONTRACTOR'S AFFIDAVIT CONCERNING TAXES
MUST EXECUTE AND SUBMIT WITH BID

CONTRACTOR'S AFFIDAVIT CONCERNING TAXES

STATE OF Idaho

COUNTY OF ADA

Pursuant to Chapter 15, Title 63, Idaho Code, I the undersigned, being duly sworn, depose and certify that all taxes, excises and license fees due to the State of Idaho and its taxing units, for which I or my property is liable, then due or delinquent, have been paid, or arrangements have been made, before entering into a contract for construction of any public works in the State of Idaho.

Consurco
Contractor / Company

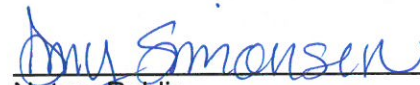
621 E. King St.
Address

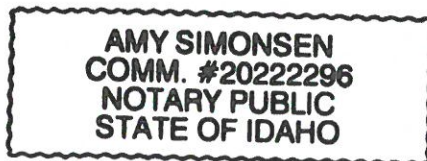
Meridian, ID 83651
City, State, Zip

X 
Authorized Representative Signature

Jose Chavez - Mountain West Vice President
Print Name and Title

Subscribed and sworn to before me this 9th day of November, 2022.


Notary Public
Residing at: Meridian, ID
Commission Expires: 05.02.2028



END OF SECTION 00 45 46