

& ASSOCIATES, INC.

(928) 778-7587

310 East Union Street
Prescott AZ 86303

FAX: (928) 778-1047
mail@davacivil.com

MEMORANDUM

JOB NO: 374MVMUP

TO: Mayor & Council Members, Town of Prescott Valley
 PROJECT: **MOUNTAIN VALLEY PARK EXERCISE MULTI-USE PATH, CIP #P331.**
 SUBJECT: Bid Opening & Evaluation
 FROM: Gordon Bowers

DATE: January 6, 2011

The Town of Prescott Valley sought bids for the construction of the **MOUNTAIN VALLEY PARK EXERCISE MULTI-USE PATH, CIP #P331**, a project for the construction of a recreational exercise and multi-use path through Mountain Valley Park around the recently completed athletic turf fields. A bid opening was held on January 3, 2010 at 3:30 PM for the **MOUNTAIN VALLEY PARK EXERCISE MULTI-USE PATH, CIP #P331**. Thirteen bids were received and read aloud as summarized below.

BIDDER	BID	ACTUAL
1. Grady's Quality Excavation, Inc.	\$ 365,016.05	***
2. CLM Earthmovers, LLC	\$ 369,474.00	
3. Earth Resources Corporation	\$ 372,892.21	
4. Rocky Construction Inc	\$ 393,332.43	
5. CJ Excavating	\$ 402,740.45	\$ 402,362.02
6. Asphalt Paving & Supply, Inc.	\$ 404,768.23	
7. Michael J Valente Contracting, LLC	\$ 420,939.17	
8. BWC Enterprises	\$ 431,279.45	\$ 431,295.16
9. Land-Tech Landscape Construction	\$ 440,511.00	
10. RK Sanders, Inc.	\$ 462,856.30	\$ 463,337.00
11. Fann Contracting, Inc.	\$ 478,275.75	
12. D & O Contractors, Inc	\$ 481,855.20	
11. Sandstorm Construction, LLC	\$ 493,241.43	\$ 493,192.39
Engineer's Estimate	\$ 446,490.00	

*** Irregular Bid

We have reviewed all bids and, except for one critical irregularity, found them to be in order with only minor discrepancies. The mathematical errors did not affect the Apparent Low Bidder or the order of the top four bidders.

However, the Apparent Low Bidder, Grady's Quality Excavation, submitted a bid with an improper proposal guarantee. The contract documents specify that the proposal guarantee be in the form provided in the proposal pamphlet (bid packet) which states in part:

...Each bid shall be accompanied by a certified check, cashier's check or surety bond for ten percent of the amount of the bid included in the bid proposal as a guarantee that the contractor will enter into a contract to perform the proposal in accordance with plans and specifications...

This provision is also found in Uniformed Standard Specifications for Public Works Construction sponsored and distributed by the Maricopa Association of Governments (MAG) Section 102.8, which states:

The proposal guarantee shall be in the form of a certified check, cashiers check, or surety bond for ten percent of the amount of the bid.

Grady's Quality Excavation submitted a proposal guarantee in the form of a company business check and not in the required form. Unfortunately, this irregularity is grounds for rejection. All of the other bidders adhered to this requirement including the second lowest bidder, CLM Earthmovers. We, therefore, recommend that the Town of Prescott Valley reject the bid submitted by Grady's Quality Excavation.

With these favorable bids, we recommend awarding both the base bid and the alternate bid. It is, therefore, our recommendation that the project be awarded to the Contractor with the lowest responsible bid, CLM Earthmovers, LLC in the amount of \$369,474.00 for the completion of the **MOUNTAIN VALLEY PARK EXERCISE MULTI-USE PATH, CIP #P331**