



**FORTY NINERS STADIUM MANAGEMENT COMPANY**

Date: September 29, 2021

To: Jim Mercurio  
Executive Vice President & General Manager

From: Jenti Vandertuig  
Procurement Director

Subject: Recommendation for Award RFB FY21-0012 Levi's Stadium Tunnel Slip and Fall Protection Project

**Recommendation**

- Recommend approval and award of a one-time agreement to R.E. Cuddie Co. in the amount of \$14,613.76 for removal and disposal of existing synthetic turf flooring, and furnishing and installation of new synthetic turf flooring from stadium tunnels at Levi's Stadium;
- Authorize Stadium Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
- Authorize Stadium Manager to execute change orders up to approximately 10% of the contract cost, or \$1461, for a total not to exceed amount of \$16,074.76.

**Solicitation Process**

Forty Niners Stadium Management Company LLC ("Stadium Manager") has a need to replace the non-slip material at the South, Northeast and Northwest field tunnels at Levi's Stadium (the "Stadium"). The replacement of the synthetic material was approved as part of the FY21/22 Santa Clara Stadium Authority (SCSA) Capital Expenditures budget.

On August 30, 2021, Stadium Manager issued a Request for Bids (RFB) FY21-0012 for removing and disposing of the existing synthetic turf flooring from the Stadium tunnels, furnishing and installation of new synthetic turf flooring with beveled edge reducer, and supplying all accessories required for installation, maintenance and repair. Stadium Manager published the RFB on Bonfire Interactive, Stadium Manager's eProcurement portal <https://49ers.bonfirehub.com/portal/>. In addition to inviting a list of suppliers on our established supplier list, Stadium Manager also selected suppliers registered on the portal with specific commodity codes offering flooring and related services.

On September 2, 2021, Stadium Manager published the Notice Inviting Bids related to this project in the San Jose Mercury News publication. Notices were also emailed on August 30, 2021 to the Builders' Exchange of Santa Clara County and Minority Business Consortium requesting them to communicate with their respective member community.

Stadium Manager held a non-mandatory pre-bid conference on September 9, 2021 at 11:00 a.m. (PT) to provide an overview of the project and answer any questions from prospective bidders. The RFB provided prospective bidders the option to schedule on-site visits to the Stadium and to request product substitutions with specific deadlines for each of these options.

Stadium Manager issued Addendum #1 on September 17, 2021 approving a product substitution request submitted by an interested bidder and notified all bidders via the Stadium Manager's eProcurement portal. The RFB closed on September 20, 2021 at 3:00 p.m. (PT).

Three bids were received on or before the closing due date and time from the following firms:

1. R.E. Cuddie Co. (\$14,614)
2. American Sports Construction (\$27,499)
3. Green Constructors California Inc. (\$45,000)

### **Public Bid Opening**

A public bid opening was held on September 20, 2021 at 4:00 p.m. (PT). The RFB provided the public bid opening webcast information including a meeting ID and password for bidders to log on via Zoom to attend. Several bidders were in attendance. Stadium Manager announced the receipt of three bids on or before the due date and time, announced the name of each bidder and the bid amount. R.E. Cuddie Co. was declared the apparent low bidder with a bid amount of \$14,614.

### **Evaluation of Apparent Low Bidder**

Stadium Manager reviewed the bid from R.E. Cuddie Co. and determined the bid to be responsive and responsible. The review verified that all the required forms were submitted and completed properly, the bid schedule contained no arithmetic errors, and the bid bond is authorized. Stadium Manager also confirmed that R.E. Cuddie Co. is authorized to do business in California, is appropriately licensed with the California Contractors State License Board, and is registered with the Department of Industrial Relations (DIR). Stadium Manager checked references to validate that R.E. Cuddie Co. was responsible.

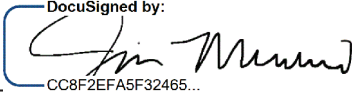
R.E. Cuddie Co. did round their bid pricing to the nearest whole dollar. That technically is not allowed, but the bid documents allow us to independently use their unit prices and the estimated quantities to come up with the total bid amount. The correct bid amount is \$14,613.76.

**Next Steps**

Once Stadium Manager receives approval from the SCSA Board, an agreement (detailed in the RFB) will be executed with R.E. Cuddie Co., and a fully executed copy will be forwarded to the Board. In addition, Stadium Manager requests authorization to issue change orders up to 10% of the agreement which will allow Stadium Manager to take timely administrative action if required and not delay completion of the Project.

Supporting documentation has been provided for review and approval. The cost of this purchase is covered in the FY 21/22 SCSA Capital Expenditure budget referenced under Furniture, Fixtures and Equipment (FF&E), Tunnel Slip and Fall Protection. The approved budget amount was \$31,500. The cost for advertising the RFB in the San Jose Mercury News publication for one day is \$778.59. Stadium Manager’s request to publish legal notices in the San Jose Mercury News for various solicitations, including public works, was approved by the SCSA Board on July 13, 2021. This is a public works project.

Submitted By:  A4B5666F5BF147D... Date: 9/29/2021  
Jenti Vandertuig, Procurement Director

Approved By:  CC8F2EFA5F32465... Date: 9/29/2021  
Jim Mercurio, Executive Vice President & General Manager