



FORTY NINERS STADIUM MANAGEMENT COMPANY

Date: April 1, 2022

To: Jim Mercurio
Executive Vice President & General Manager

From: Jenti Vandertuig
Procurement Director

Subject: Recommendation for Award RFB FY21-0023 Levi's Stadium Insulation
Capping Project

Recommendation

1. Recommend approval and award of a one-time agreement to Bear Insulation, Inc., in the amount of \$505,022.90 to furnish and install new insulation sheeting at Levi's Stadium;
2. Authorize Stadium Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
3. Authorize Stadium Manager to execute change orders up to \$12,477.10 for a total not to exceed amount of \$517,500.

Solicitation Process

Forty Niners Stadium Management Company LLC ("Stadium Manager") has a need to furnish and install new insulation sheeting above the concourse and concession areas at Levi's Stadium ("Stadium") where the existing sheeting is separating from the existing insulation. The plan is to leave the existing insulation in place, and install new sheeting over the insulation to improve the appearance and extend the life of the existing insulation.

The Stadium Insulation Project was approved by the Santa Clara Stadium Authority ("SCSA") as part of the FY21/22 SCSA Capital Expenditures budget. The initial approved funds allocated for this project was \$157,500. On November 30, 2021, pursuant to an outcome of a formal solicitation, Stadium Manager recommended a budget augmentation of \$360,000 for a total amount of \$517,500. The SCSA Board approved the recommendation on January 11, 2022.

On March 1, 2022, Stadium Manager issued a Request for Bids (RFB) FY21-0023 for furnishing and installation of new insulation sheeting at the Stadium.

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 exterior insulation and finishing services and building insulation services.

On March 4, 2022, Stadium Manager published the Notice Inviting Bids related to this project in the San Jose Mercury News publication. Notices were also emailed on March 1, 2022 to the Builders' Exchange of Santa Clara County and Minority Business Consortium requesting them to communicate with their respective member communities.

Stadium Manager held a non-mandatory pre-bid conference on March 10, 2022 at 10:00 a.m. (PT) via Zoom 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.

Electronic bid submissions were due on or before March 30, 2022 at 3:00 p.m. (PT). One bid was received on or before the closing due date and time from the following firm:

1. Bear Insulation, Inc. - \$505,022.00

Public Bid Opening

A public bid opening was held on March 30, 2022, 2022 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. Multiple callers were in attendance. Stadium Manager announced the receipt of one bid on or before the due date and time, announced the name of the bidder and the base bid amount. Bear Insulation, Inc. was declared the apparent low bidder with a total bid amount of \$505,022.00.

Evaluation of Apparent Low Bidder

Stadium Manager reviewed the bid from Bear Insulation, Inc. and determined the bid to be responsive and responsible. Multiple discrepancies were noted during the review which were considered immaterial. The bid amount in the bid is \$505,022.00 whereas the actual bid amount is \$505,022.90. However, the bid schedule allows us to calculate using their unit price and the estimated quantity. The license number was not provided under Section 1.1 but the license classification and expiration date was provided. Stadium Manager considered this immaterial because their license number was listed in

several other places in the bid. All the other required forms were submitted and the bid bond is authorized. Stadium Manager also confirmed that Bear Insulation, Inc. 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.

Next Steps

The Total Bid Price is \$505,022.90. The cost of this purchase is covered in the FY 21/22 SCSA Capital Expenditures budget referenced under Site, Stadium Insulation. The approved augmented budgeted amount is \$517,500.

Once Stadium Manager receives approval from the SCSA Board, an agreement (detailed in the RFB) will be executed with Bear Insulation, Inc. and a fully executed copy of the agreement will be forwarded to the Board. In addition, Stadium Manager requests authorization to issue change orders up to \$12,477.10, the maximum amount approved by the SCSA Board for this Project, 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 for advertising the RFB in the San Jose Mercury News publication for one day is \$348.15. 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:  Date: 4/1/2022
Jenti Vandertuig, Procurement Director

Approved By:  Date: 4/1/2022
Jim Mercurio, Executive Vice President & General Manager