



**FORTY NINERS STADIUM MANAGEMENT COMPANY**

Date: October 1, 2021

To: Jim Mercurio  
Executive Vice President & General Manager

From: Jenti Vandertuig  
Procurement Director

Subject: Recommendation for Award RFB FY21-0013 Levi's Stadium Resilient  
Flooring In Service Tunnel Project

**Recommendation**

1. Recommend approval and award of a one-time agreement to R.E. Cuddie Co. in the amount of \$53,955.20 for removal and disposal of existing resilient athletic flooring from service tunnels, and furnishing and installation of rubber resilient athletic flooring 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 approximately 10% of the contract cost, or \$5,396, for a total not to exceed amount of \$59,351.20.

**Solicitation Process**

Forty Niners Stadium Management Company LLC ("Stadium Manager") has a need to replace the non-slip floor matting for visiting teams and auxiliary locker room spaces to the North Field tunnels at Levi's Stadium ("Stadium"). This includes access to the field for athletes, performers and customers. The replacement of the synthetic athletic flooring was approved at part of the FY21/22 Santa Clara Stadium Authority (SCSA) Capital Expenditures budget.

On June 9, 2021, Stadium Manager issued a Request for Bids (RFB) FY21-0009 for this Project and received one bid response before the due date of July 8, 2021. The bid was deemed non-responsive and the base bid amount was over 100% of the budgeted amount of the Project. In view of that outcome, Stadium Manager evaluated different solicitation strategies for this Project. After performing additional market research, Stadium Manager decided to rebid the project. Instead of soliciting a single lump sum

bid for the entire Project, the new solicitation would divide the flooring replacement into two categories for a base bid and an alternate bid, giving priority to the area that needed to be replaced more urgently in the event the cost exceeded the budgeted amount when we rebid.

On August 30, 2021, Stadium Manager issued a Request for Bids (RFB) FY21-0013 for removing and disposing the existing resilient athletic flooring from Levi's Stadium tunnels, furnishing and installation of rubber resilient athletic flooring with beveled edge reducer, and supplying all accessories required for installation, maintenance and repair. As planned, the requirements were split into two areas for replacement with the Base Bid Scope covering the visitors' locker room to the field tunnel in the North West Tunnel area of the Stadium, and an Alternate No. 1 Bid Scope covering the service tunnel corridor from the auxiliary rooms to the North West Tunnel. Attached as Exhibit A-1 are diagrams illustrating the two separate areas, along with photographs of the area.

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 1:00 p.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.

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

1. R.E. Cuddie Co. - \$53,955 (\$28,995 Base Bid and \$24,960 for Alternate No. 1)
2. Green Constructors California Inc. - \$93,500 (\$65,000 Base Bid and \$28,500 for Alternate No. 1)
3. Cal Pro Service Corp. - \$100,000 (\$49,000 for Base Bid and \$51,000 for Alternate No. 1)

### **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 base bid amount of \$28,995.

### **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 \$28,995.20.

### **Next Steps**

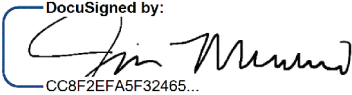
In accordance with the RFB documents, Stadium Manager has the sole discretion to include any, all, or none of the Alternate Bid items. The Total Bid Price, inclusive of the Base Bid and Alternate No. 1, is \$53,955.20. The cost of this purchase is covered in the FY 21/22 SCSA Capital Expenditure budget referenced under General Building, Non-slip Floor Matting from Visiting Team and Auxiliary Locker Room Spaces to North Field Tunnels. The approved budgeted amount is \$52,500.

Stadium Manager recommends approval to utilize SCSA approved, unspent and unobligated funds, from the total FY 21/22 SCSA Capital Expenditures budget to cover the additional \$1455.20, plus the 10% to cover potential change orders which is \$5,396 for a total amount of \$6,851.20 needed to establish an agreement with R.E. Cuddie for this Project. There is ample room in the SCSA FY21/22 Capital Expenditures budget to cover this additional cost.

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 of the agreement 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 for advertising the RFB in the San Jose Mercury News publication for one day is \$791.25. 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: 10/1/2021  
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Jenti Vandertuig, Procurement Director

Approved By:  Date: 10/1/2021  
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Jim Mercurio, Executive Vice President & General Manager

Attachment: Exhibit A-1 from RFB FY21-0013

**Exhibit "A-1"**

**BASE BID SCOPE:**

Contractor to install flooring product per manufacturer's recommendation from the locker room to the field tunnel (dimensions shown in Figure 1). The walking path dimensions are shown below in Figure 1. All dimensions to be verified by the Contractor.

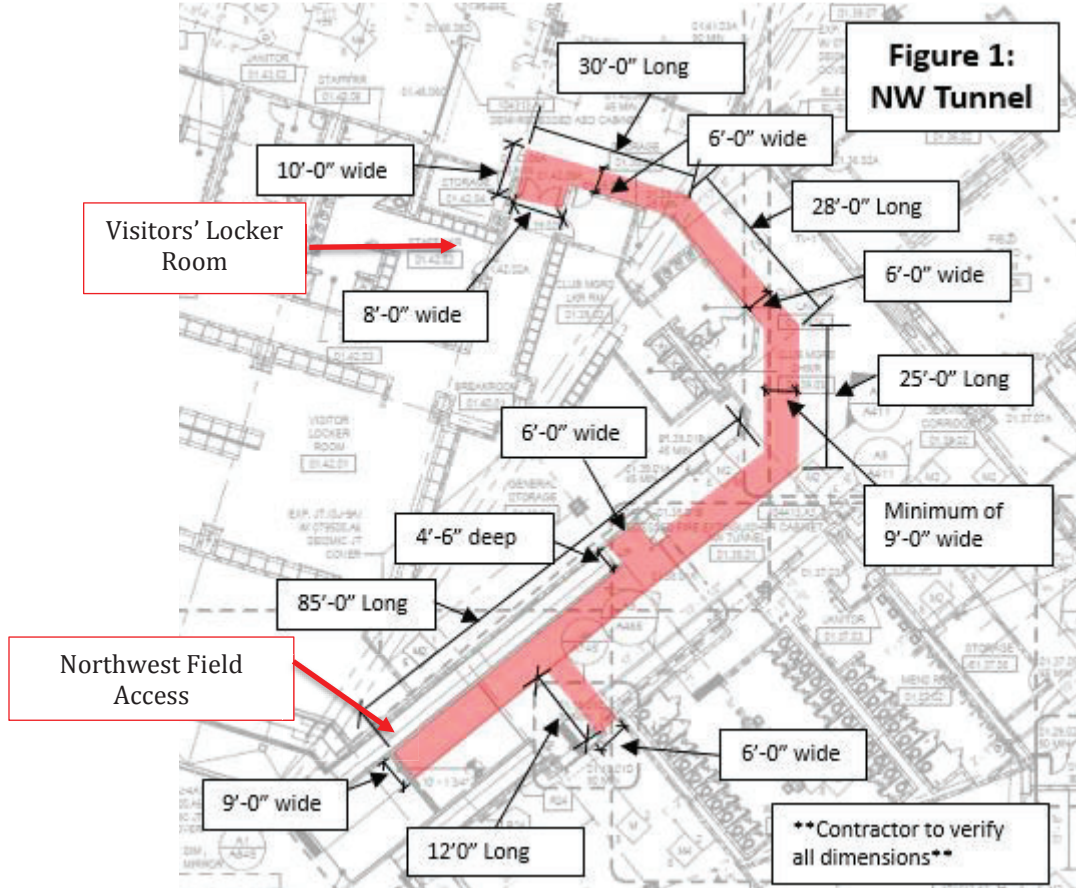


Figure 1: BASE BID - Image of new resilient flooring limits for the NW Tunnel area shown in red.

**ALTERNATE #1 BID SCOPE:**

Contractor to install flooring product per manufacturer's recommendation along the service tunnel corridor from auxiliary rooms to the North West tunnel (dimensions shown in Figure 2). The walking path dimensions are shown below in Figure 2. All dimensions to be verified by the Contractor.

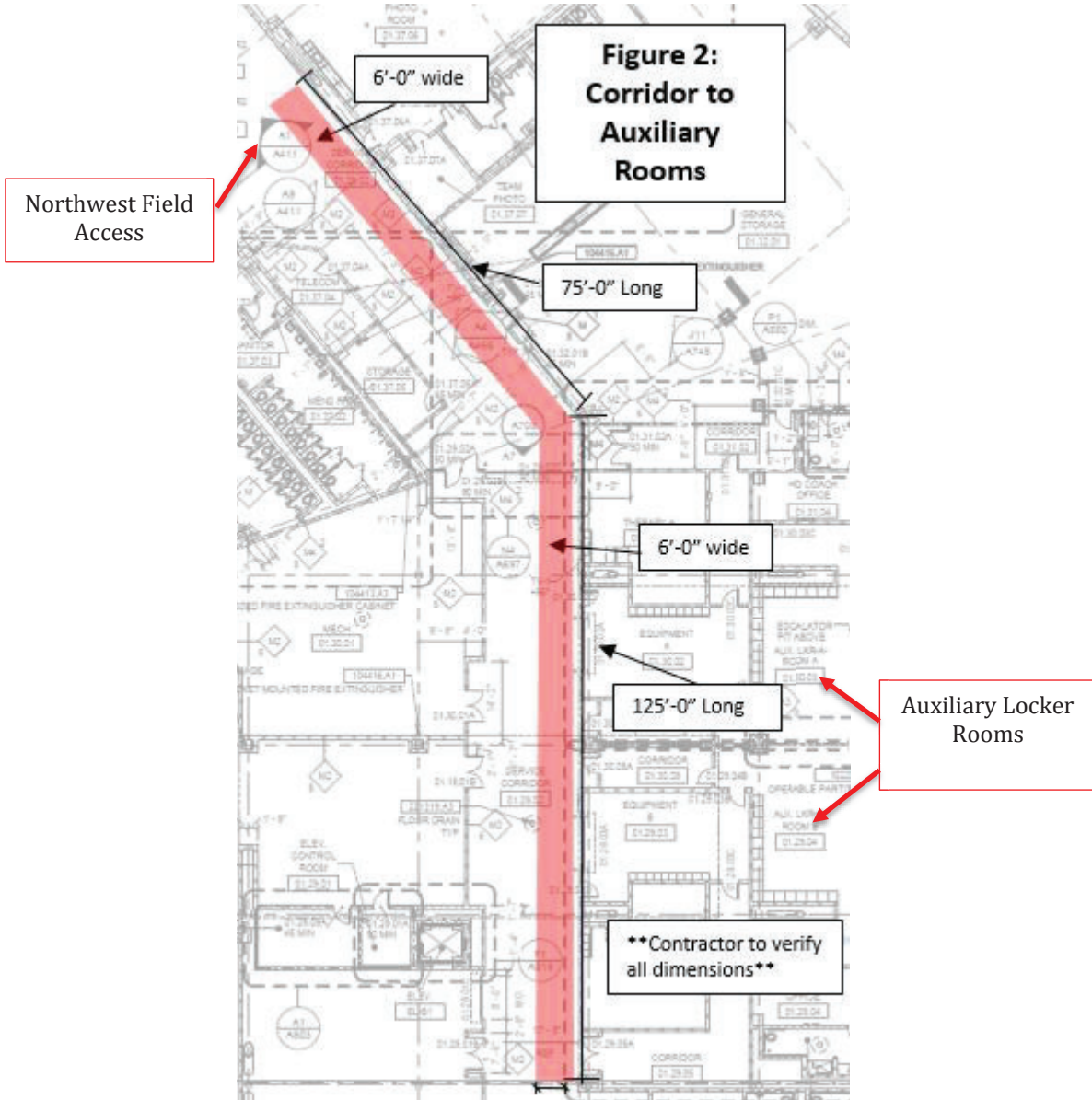


Figure 2: ALTERNATE #1 BID SCOPE: Image of new resilient flooring limits for the service tunnel area shown in red.



Figure 3: Photo of Northwest Tunnel (BASE BID SCOPE) look out to the field area.

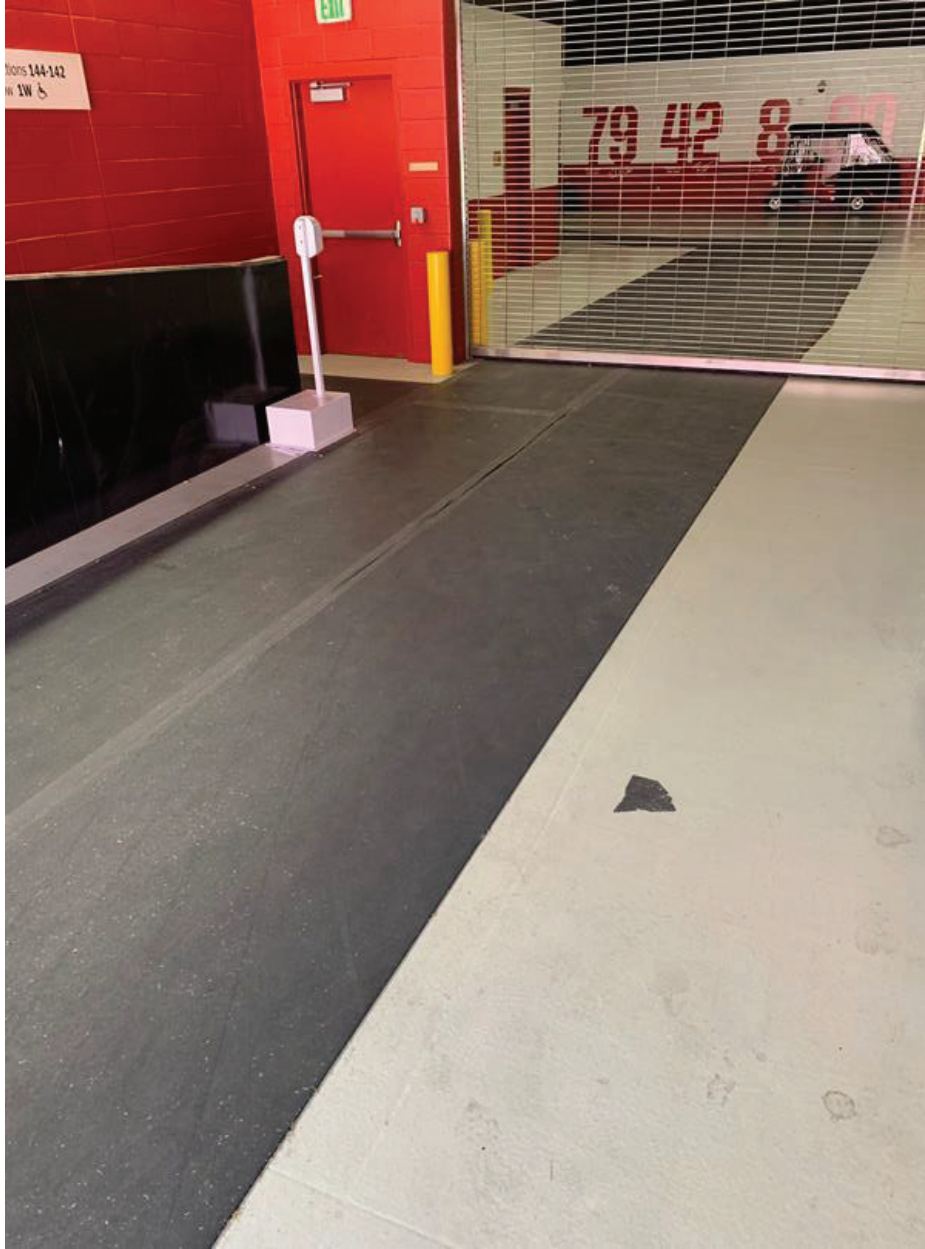


Figure 4: Photo of Northwest Tunnel (BASE BID SCOPE) look into corridor tunnel area from field area.





Figure 5: Photo of Corridor to Auxiliary Rooms (ALTERNATE #1 BID SCOPE) look into corridor tunnel area from field area.