



FORTY NINERS STADIUM MANAGEMENT COMPANY

Date: March 15, 2023

To: Executive Director
Santa Clara Stadium Authority

From: Jenti Vandertuig
Procurement Director
Forty Niners Stadium Management Company LLC

Subject: Recommendation for Award RFB FY22-0042 Levi's Stadium Variable Frequency Drive Replacement for Cooling Towers and Pumps Project

Recommendation

1. Recommend approval and award of a one-time contract to Blocka Construction Inc., in the amount of \$118,000, to replace the variable frequency drive for cooling towers and pumps at Levi's Stadium.
2. Recommend a budget augmentation for the Levi's Stadium Variable Frequency Drive Replacement for Cooling Towers and Pumps Project (Project) of \$22,434, which will increase the total budget amount for this Project from \$107,366 to \$129,800. The Project budget was approved by the Santa Clara Stadium Authority (SCSA) as part of the FY23/24 SCSA Capital Expenditures Budget.
3. Authorize Stadium Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
4. Authorize Stadium Manager to execute change orders up to 10% or \$11,800 for a total not to exceed construction contract amount of \$129,800.00.

Solicitation Process

Forty Niners Stadium Management Company LLC (Stadium Manager) has a need to replace the variable frequency drive for cooling towers and pumps at Levi's Stadium (Stadium). The Project was approved as part of the FY22/23 SCSA Capital Expenditures budget.

On January 10, 2023, Stadium Manager issued a Request for Bids (RFB) FY22-0042 for the Project.

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 contractors on our established supplier list, Stadium Manager also selected contractors registered on the portal with specific commodity codes offering such services. Addendum No.1 was issued on February 7, 2023 to provide additional information on the plans and specifications, extend the due date and time for receipt of bids, revise the public bid opening date and time, and timeline for the protest period.

On January 20, 2023, Stadium Manager published the Notice Inviting Bids for the Project in the San Jose Mercury News publication. Notices were also emailed on January 10, 2023 to the Builders' Exchange of Santa Clara County and Minority Business Consortium to communicate with their respective member communities regarding the solicitation for the Project.

Stadium Manager held a non-mandatory pre-bid conference on January 19, 2023 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.

Electronic bid submissions were due on or before February 15, 2023 at 3:00 p.m. (PT). Four bids were received on or before the closing due date and time from the following firms:

1. Blocka Construction Inc. = \$118,000
2. True Blue Automation Services - \$73,707.48
3. Marina Mechanical - \$117,700
4. Devcon Construction, Inc. - \$158,000

Public Bid Opening

A public bid opening was held on February 15, 2023 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 the four bids on or before the due date and time, announced the name of the bidders and the base bid amounts and declared True Blue Automation Services the apparent low bidder.

The protest period ended on February 22, 2023. There were no protests.

Evaluation of Apparent Low Bidder

Stadium Manager reviewed the bid from True Blue Automation Services and determined that the bidder was nonresponsive. The bidder did not possess a Class B (General Building Contractor) license as required in the RFB. The second low bidder, Marina Mechanical, was also deemed nonresponsive. The bid materially differed from the forms required in the bid documents because it was on the contractor's proposal form and omitted the required bid forms. The third low bidder, Blocka Construction Inc. was the lowest responsive and responsible bidder. Supporting documentation on the evaluation of bids has been provided.

Next Steps


The Project was approved as part of the FY23/24 SCSA Capital Expenditures budget. The current approved amount for this Project is \$107,366.

Stadium Manager is recommending a budget augmentation to address the following costs for this Project:

1. Blocka Construction Inc. Bid - \$118,000
2. 10% Contingency Amount for Change Orders - \$11,800

Once Stadium Manager receives approval from the SCSA Board, a contract (included in the RFB) will be executed with Blocka Construction, Inc., and a fully executed copy of the contract will be forwarded to the SCSA. In addition, Stadium Manager requests authorization to issue change orders up to \$11,800 or 10% of the Project cost 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 \$215.22. 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 Project is a public works project.

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Submitted By: _____ Date: _____
Jenti Vandertuig, Procurement Director