



**FORTY NINERS STADIUM MANAGEMENT COMPANY**

Date: June 10, 2022

To: Jim Mercurio  
Executive Vice President & General Manager

From: Jenti Vandertuig  
Procurement Director

Subject: Recommendation for Award RFB FY21-0022 Levi's Stadium General Areas Traffic Bearing Membrane Recoating Project

**Recommendation**

1. Recommend approval and award of a one-time contract to Blue's Roofing Company, in the amount of \$2,505,744.02 for recoating of the existing traffic bearing membrane in the Levi's Stadium seating bowl and concourse areas along with removing and replacing all floor decals and signage.
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 \$66,382.51 for a total not to exceed amount of \$2,572,126.53.

**Solicitation Process**

Forty Niners Stadium Management Company LLC ("Stadium Manager") has a need to recoat the existing traffic membrane in the seating bowl and concourse areas along with removing and replacing all floor decals and signage at Levi's Stadium ("Stadium").

The Levi's Stadium General Areas Traffic Bearing Membrane Recoating Project ("Project") was approved as part of the FY21/22 Santa Clara Stadium Authority ("SCSA") Capital Expenditures budget and carried forward to FY 22/23 SCSA Capital Expenditures budget to be completed.

On March 1, 2022, Stadium Manager issued a Request for Bids (RFB) FY21-0022 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.

On March 4, 2022, Stadium Manager published the Notice Inviting Bids for the 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 regarding the solicitation for the Project.

Stadium Manager held an onsite non-mandatory pre-bid conference on March 10, 2022 at 1:00 p.m. (PT) to provide an overview of the Project and answer any questions from prospective bidders including a walk-through of the areas requiring the recoating work. The RFB provided prospective bidders the option to schedule on-site visits to the Stadium.

Stadium Manager issued four addenda responding to questions and clarifications from bidders, revising the bid specifications and bid schedule as needed, extending the due date and time for receipt of bid responses, and extending the protest period accordingly.

Electronic bid submissions were due on or before May 11, 2022 at 3:00 p.m. (PT). Three bids were received on or before the closing due date and time from the following firms:

No.	Bidder	Base Bid Plus Alternate Nos. 1, 2 and 3
1	Blue's Roofing Company	\$3,578,989.33
2	Rainbow Waterproofing & Restoration Co. Inc.	\$4,826,321.60
3	Pullman SST, Inc.	\$4,908,784.37

One bidder submitted a bid response to the Procurement Lead via email past the due date and time. Since the bid was submitted past the due date and time, and not submitted via the Stadium Manager's eProcurement portal, the bid was rejected.

### **Public Bid Opening**

A public bid opening was held on May 11, 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 the three bids on or before the due date and time, announced the name of the bidders and the base bid amounts.

The RFB required bidders to provide a Base Bid plus bids for six Alternate Bid Items and the basis of award was to the lowest responsible bidder submitting a responsive bid. As expressly set forth in the Notice Inviting Bids, the basis for calculating the lowest bid was the Base Bid plus Alternates Nos. 1, 2 and 3. Therefore, the amounts referenced in the table above were the results of the Base Bid plus Alternates Nos. 1, 2 and 3. This information was provided to the bidders.

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

Stadium Manager reviewed the bid from Blue's Roofing Company and determined it to be the lowest responsive bid submitted by a responsible bidder. Several minor discrepancies were noted during the Stadium Manager's review of the bids, which were considered immaterial – the errors were in the form of arithmetical errors that the bid forms allow the Stadium Manager to correct using the unit pricing listed by the bidder and associated estimated quantities. With respect to the bid submitted by Blue's Roofing Company, the verified amount of the Base Bid plus Alternates Nos. 1, 2 and 3 is \$3,578,989.33. All required forms were submitted including the bid bond, which was verified as effective. Stadium Manager also confirmed that Blue's Roofing Company is authorized to do business in California, is appropriately licensed with the California Contractors State License Board, and is registered as a public works contractor with the Department of Industrial Relations.

### **Next Steps**

The Levi's Stadium General Areas Traffic Bearing Membrane Recoating Project was approved as part of the FY21/22 SCSA Capital Expenditures budget and carried forward to FY 22/23 SCSA Capital Expenditures budget to be completed. The approved budgeted amount for this project is \$2,572,500.

Stadium Manager has the discretion to include any, all, or none of the Alternate Bid items. Stadium Manager recommends award to Blue's Roofing Company for the Base Bid plus Alternate No. 1 in the amount of \$2,505,744.02. The following table provides the total of the Base Bid plus Alternate No. 1 for each bidder submitting a bid for this Project:

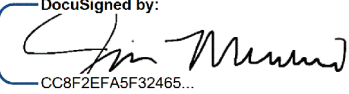
<b>No.</b>	<b>Bidder</b>	<b>Base Bid Plus Alternate No. 1</b>
1	Blue's Roofing Company	<b>\$2,505,744.02</b>
2	Rainbow Waterproofing & Restoration Co. Inc	\$3,852,998.80
3	Pullman SST, Inc.	\$3,872,137.72

Once Stadium Manager receives approval from the SCSA Board, a contract (included in the RFB) will be executed with Blue's Roofing Company and a fully executed copy of the contract will be forwarded to the Board. In addition, Stadium Manager requests authorization to issue change orders up to \$66,382.51, the maximum amount within the budget 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.

Stadium Manager intends to submit a new budget request as part of the FY 23/24 SCSA Capital Expenditures budget to address the other areas of the Stadium that require recoating.

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 \$373.47. 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: 6/10/2022  
Jenti Vandertuig, Procurement Director

Approved By:  CC8F2EFA5F32465... Date: 6/10/2022  
Jim Mercurio, Executive Vice President & General Manager