



# City of Pflugerville

## Legislation Details (With Text)

|                       |   |                      |   |                  |  |
|-----------------------|---|----------------------|---|------------------|--|
| <b>File #:</b>        | RES-0700  | <b>Version:</b>      | 1 | <b>Name:</b>     |  |
| <b>Type:</b>          | Resolution  | <b>Status:</b>       |   | Consent Agenda   |  |
| <b>File created:</b>  | 1/22/2020   | <b>In control:</b>   |   | Engineering Dept |  |
| <b>On agenda:</b>     | 2/11/2020   | <b>Final action:</b> |   | 2/11/2020        |  |
| <b>Title:</b>         | Approving a resolution of the City of Pflugerville, Texas, rejecting all bids received for the El Malino Drive and Bellemeade Boulevard Pavement Rehabilitation Project and authorizing the project to rebid. |                      |   |                  |  |
| <b>Sponsors:</b>      |   |                      |   |                  |  |
| <b>Indexes:</b>       |   |                      |   |                  |  |
| <b>Code sections:</b> |   |                      |   |                  |  |
| <b>Attachments:</b>   | 1. Resolution to Reject Bid CDBG FINAL 2020 0206 (002)  |                      |   |                  |  |

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 2/11/2020 | 1    | City Council | Approved | Pass   |

Approving a resolution of the City of Pflugerville, Texas, rejecting all bids received for the El Malino Drive and Bellemeade Boulevard Pavement Rehabilitation Project and authorizing the project to rebid.

As part of the Community Development Block Grant (CDBG) Program, the city selected two roadway projects, El Malino Drive and Bellemeade Boulevard, to be constructed utilizing CDBG funding provided by the Federal Department of Housing and Urban Development (HUD). City staff posted and opened bids for the 2019 CDBG El Malino Drive and Bellemeade Boulevard Pavement Rehabilitation Project on October 3, 2019 after all required notices posted.

City staff prepared for and anticipated approval of the bids at the October 22<sup>nd</sup> City Council meeting however, the City did not receive the grant agreement for the funding from HUD for the CDBG grant in time to meet the 22<sup>nd</sup> Council meeting as expected. City staff did not receive notice for Federal funding within the timeframe required to accept the bids and therefore, determined it would be necessary to reject all bids, based on the Notice to Bidders, "The final Notice of Award of Contract shall be issued to the successful bidder by the City within sixty (60) days following the opening of bids and no bidder may withdraw a bid within sixty (60) days after opening thereof. The successful Bidder must furnish a performance bond and payment bond on the forms provided, each in the amount of one hundred percent (100%) of the contract amount, from a surety company authorized by the State of Texas to act as surety."

The City received notification from HUD that awarding the contract would need to be postponed until the CDBG funds were made available. City staff has since been notified that the Federal funding has now been allocated for CDBG projects in support for rebidding the 2019 CDBG El Malino Drive and Bellemeade Boulevard Pavement Rehabilitation project however, since the project was not awarded within the sixty (60) day period of the bid opening, the project bids must be rejected and rebidding of the project is required.

City staff is requesting approval for rejecting all bids per the Code Section 252.042(f) which

authorizes the City Council to reject any and all bids. Staff is prepared to rebid the project on February 12, 2020.

**Prior City Council Action**

N/A

**Deadline for City Council Action**

Action is requested on February 11, 2020.

**Funding Expected:** Revenue ☐ Expenditure ☐ N/A ☒

**Budgeted Item:** Yes ☐ No ☐ N/A ☒

**Amount:** N/A

**1295 Form Required?** Yes ☐ No ☒

**Legal Review Required:** N/A ☐ Required ☒ Date Completed: 01/22/2020

**Supporting documents attached:**

Resolution

**Recommended Action**

Approve a resolution of the City of Pflugerville, Texas, rejecting all bids received for the El Malino Drive and Bellemeade Boulevard Pavement Rehabilitation Project and authorizing the project to rebid.