

To: MVTA Board Date: May 18, 2009
From: Lois Spear
Re: Award Construction Contract for Cedar Grove

Requested Action

Approve awarding a contract to GenCon Construction for a cost of \$1,287,500 for construction of the Cedar Grove facility contingent upon approval by Met Council of the DBE information. If DBE approval is not received for GenCon Construction, it is recommended that the Board reject the Rochon Corporation bid as non-responsive and approve the withdrawal of the bid. It is further recommended that if the DBE is not approved for GenCon Construction, the Board declare GenCon Construction non-responsive and award the contract to Morcon Construction, Inc. at a cost of \$1,299,800 contingent upon approval of the DBE documentation by Met Council.

Background

On April 6, 2009 MVTA advertised for bids for construction of the Cedar Grove Transit Station with the bid opening scheduled on May 5, 2009. This contract calls for the contractor to construct a transit station and park-and-ride surface lot including a drop-off area with associated traffic lanes.

On May 5, the bids were opened. There were 14 bidders with the bids ranging from \$1,287,500 to \$1,800,000 for construction. The bid documents of the three apparent low bidders were reviewed for responsiveness to the bidding documents. The second low bidder, Rochon Corporation, did not respond to the post-bid submittals. Therefore, their bid is being declared non-responsive. In addition, after the post-bid submittals were due, Rochon Corporation sent an email stating that they were withdrawing due to a material error in their bid. The bid documents for the other two low bidders are in compliance except for DBE. The DBE requirements are currently being reviewed by Met Council's EEO/Diversity Department to ensure that all DBE elements are met.

Staff is requesting that the Board award the contract to GenCon Construction contingent upon DBE approval by the Met Council. However, if GenCon does not meet the DBE requirements, staff is then requesting that the contract be awarded to the next low responsive, responsible bidder. This would be Morcon Construction, Inc. at a cost of \$1,299,800 assuming they also comply with the DBE requirements.

Impact

This project is funded by UPA and State Bond funds.

Recommendation

It is recommended that the Board approve awarding the contract for the construction of the Cedar Grove Transit Station to GenCon Construction at a cost of \$1,287,500 contingent upon approval of DBE documentation by Met Council. If DBE approval is not received for GenCon Construction, it is recommended that the Board reject the Rochon Corporation bid as non-responsive and approve the withdrawal of the bid. It is further recommended that if the DBE is not approved for GenCon Construction, the Board declare GenCon Construction non-responsive and award the contract to Morcon Construction, Inc. at a cost of \$1,299,800 contingent upon approval of the DBE documentation by Met Council.