

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Motion to award Bid No. 11215 to Buckley Nursery Co., as the lowest responsible bidder, for the Kelsey Creek enhancement project at Larsen Lake.

FISCAL IMPACT

Awarding this bid will obligate the City to an amount up to \$310,045.68, including Washington State Sales Tax (WSST) for all labor and materials. The City received a check for \$585,252.76 to implement the off-site components of the Mitigation Plan, including five years of required maintenance and monitoring, along Kelsey Creek in the Lake Hills Greenbelt Park. This project will be funded from the Operating Grants and Donations Fund. There are sufficient funds budgeted to complete this project. Remaining funds will be applied to additional project costs including design, permitting, project management, and associated maintenance and monitoring requirements for the project.

STAFF CONTACT

Geoff Bradley, Environmental Programs Supervisor, x2740

Dan DeWald, Natural Resource Manager, x6048

Parks & Community Services Department

POLICY CONSIDERATION

Bellevue City Code 4.28 provides for the fair and equitable treatment of persons in the purchasing process. Because of the amount of the contract exceeds \$35,000, Council approval is required.

The project is supported by the following policy statement from the Comprehensive Plan:

POLICY EN-24. Prioritize efforts to preserve or enhance fish and wildlife habitat through regulations and public investment in critical areas with largely intact functions and in degraded areas where there is significant potential for restoring function.

BACKGROUND

To facilitate redevelopment of Kelsey Creek Center located at 15015 Main Street, the City and Franklin West, LCC entered into Concomitant Zoning Agreement (CZA) in 2009. The CZA required a Mitigation Plan to compensate for functional ecological loss of not re-opening Kelsey Creek through the site as was required by the prior 1987 CZA. The Mitigation Plan consists of both on-site and off-site measures that provide, at minimum, the amount of habitat benefit in the form of increased riparian buffers, rearing habitat, and improved water quality that would have resulted from re-opening Kelsey Creek. This project is consistent with the *Lake Hills Greenbelt Management Plan* (COB, 1998), *Kelsey Creek Daylight Feasibility Analysis* (Parametirx, 2004), and *Lake Hills Greenbelt Wildlife Habitat Assessment and Enhancement Recommendations* (Skillings Connolly, 2006).

SCOPE OR WORK

The project includes approximately 7.1 acres of wetland enhancement along Kelsey Creek in Lake Hills Greenbelt Park. The scope includes clearing existing exotic vegetation and adding native plantings and habitat structures to help increase habitat diversity, protect water quality and create a healthier, more productive ecosystem. To facilitate future restoration work, Parks

designed, permitted, and bid additional wetland enhancement above and beyond the required 4.31 acres identified in the Base Bid. The Unit Cost Additions allow implementation of an additional 2.79 acres of similar wetland enhancements on the site. Construction of the project is time sensitive because of rainy season restrictions. Completion is expected in late Fall 2011.

CONTRACTOR SELECTION AND QUALIFICATIONS

Bids were advertised in *The Seattle Times, Daily Journal of Commerce* and on the City Public Works Roster. The following bids were opened on August 23, 2011

Bidder	Base Bid	Unit Cost Additions	Total Bid (including unit cost additions and WSST)
Buckley Nursery Co.	\$190,813.66	\$119,232.02	\$310,045.68
Ohno Construction Co.	273,082.50	128,262.50	401,345.00
Iliad, Inc	455,472.00	529,574.85	985,046.85
Engineer’s Estimate	\$ 264,360.38	\$ 160,721.21	\$ 425,081.59

Buckley Nursery Co. submitted the apparent low bid, 27% below the engineer’s estimate. This variance is primarily due to economic conditions and the contractor’s experience with this type of project. After reviewing the Contractor’s bid, background, references, and previous projects, staff believes Buckley Nursery is capable of performing this work per the plans and specifications for this project. To the best of staff’s knowledge, this project can be constructed within the bid amount; however it may be necessary to authorize minor changes because of unknown circumstances. Only additional work necessary for the complete and proper development of the project will be authorized.

EFFECTIVE DATE

If approved by Council, this motion will become effective immediately.

OPTIONS

1. Award Bid No. 11215 to Buckley Nursery Co., as the lowest responsible bidder, for the Kelsey Creek enhancement project at Larsen Lake.
2. Award Bid No. 11215 to another bidder if low bidder is rejected.
3. Reject all bids and provide alternative direction to staff.

RECOMMENDATION

Award Bid No. 11215 to Buckley Nursery Co., as the lowest responsible bidder, in the amount of \$310,045.68 (including base bid, unit cost additions, and applicable WSST), for the Kelsey Creek enhancement project at Larsen Lake.

MOTION

Move to award Bid No. 11215 to Buckley Nursery Co., as the lowest responsible bidder, in the amount of \$310,045.68 (including base bid, unit cost additions, and applicable WSST), for the Kelsey Creek enhancement project at Larsen Lake.

ATTACHMENT

Vicinity Map

AVAILABLE IN COUNCIL OFFICE

Enhancement Plans