

Resolution rejecting the apparent low bid of Thompson Construction & Consulting as non-responsive and awarding a construction contract to Aptim Environmental & Infrastructure, LLC., Baton Rouge, Louisiana, to provide construction services for the expansion of the Cefe Valenzuela Landfill Gas Collection and Control System, located in Nueces County, in an amount not to exceed \$398,395.00, with FY 2021 funding available from Landfill Fund.

WHEREAS, bids were opened on February 3, 2021, for the Cefe Valenzuela Landfill Gas Collection & Control System ("GCCS") Lifecycle Improvements Cells 1B/1C ("Project"); and

WHEREAS, Section 2, paragraph 2.3 Bid Requirements of the Bid Documents states:

A. The Bidder must have operated continuously for a minimum of 5 years as an established firm in providing landfill gas collection & control systems. This experience must be outlined in the Statement of Experience Form provided in this RFB.

D.1. Statement of Experience – Bidder agrees to provide a Statement of Experience with its bid to demonstrate the Bidder's responsibility and ability to meet the minimum requirements to complete the Work. Failure to submit the required information in the Statement of Experience may result in the Bid being considered non-responsive.

WHEREAS, Section 00 45 16 Statement of Experience, paragraph 1.01 provides, "To be considered responsive, the Bidder must complete and submit the Statement of Experience to demonstrate the Bidders' responsibility and ability to meet the minimum requirements to complete the Work. Failure to submit the required information in the Statement of Experience may result in the Owner considering the Bid non-responsive and result in rejection of the Bid by the Owner."

WHEREAS, Section 00 45 16 Statement of Experience, paragraph 2.06.A requires the Bidder to: "Provide information on projects that have been awarded to the Organization in the last 5 years. Experience must include the satisfactory completion of at least five similar projects within the last 5 years for the Bidder's organization that are equal to or greater in size and magnitude than the current Project."

WHEREAS, the apparent low bidder for the Project, Thompson Construction & Consulting ("Thompson"), failed to submit a completed Statement of Experience; and

WHEREAS, Thompson failed to show satisfactory completion of at least five similar projects within the last five years that are equal to or greater in size and magnitude than the current project.

WHEREAS, Section 3, paragraph 3.25 of the Bid Documents allows the Bidder to file a written notice of protest and request an informal hearing if the Bidder believes that an error was made during the evaluation of the Bid.

WHEREAS, an informal protest hearing was held with Thompson on Monday, March 1, 2021, and the Bidder's experience was discussed. Although Bidder has experience working with various aspects of landfills, Bidder is not an established firm in providing landfill gas collection & control systems.

WHEREAS, on March 5, 2021, Contracts and Procurement offered Thompson focused training on the City's RFB process and bid preparation;

WHEREAS, the Project must be fully constructed and operational no later than June 1, 2021, as the landfill is subject to Federal New Source Performance Standards for municipal solid waste landfills (40 CFR Part 60) and are subject to administrative penalties from the Texas Commission on Environmental Quality and Environmental Protection Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The apparent low bid submitted by Thompson Construction & Consulting is rejected as non-responsive.

SECTION 2. The City Manager or designee is authorized to execute a construction contract with Aptim Environmental & Infrastructure of Baton Rouge, Louisiana as the lowest responsive, responsible bidder in the amount of \$398,395 for the Cefe Valenzuela Landfill Gas Collection & Control System Lifecycle Improvements Cells 1B/1C project.

PASSED AND APPROVED on the _____ day of _____, 2021:

Paulette M. Guajardo _____

Roland Barrera _____

Gil Hernandez _____

Michael Hunter _____

Billy Lerma _____

John Martinez _____

Ben Molina _____

Mike Pusley _____

Greg Smith _____

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Paulette M. Guajardo
Mayor