

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE,
CALIFORNIA, REJECTING THE SOLE BID RECEIVED IN RESPONSE
TO GLENDALE WATER & POWER BID SPECIFICATION NO. 3904,
UNIT 9 SEPARATION, DISPENSING WITH FURTHER COMPETITIVE
BIDDING, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE
AND EXECUTE A CONTRACT WITH ARB, INC.**

WHEREAS, in accordance with the City Council’s direction, on September 22, 2021, Glendale Water & Power (“GWP”) issued a Request for Bids for Specification No. 3904 seeking bids to separate Grayson Power Plant Unit No. 9 (“Unit 9”) from the remaining power plant units as part of the Grayson Repowering Project (the “Unit 9 Separation project”); and

WHEREAS, in response to the Request for Bids, on June 22, 2022, the City received one bid for the Unit 9 Separation project, in the amount of \$4,247,507, from ARB, Inc.; and

WHEREAS, the bid of ARB, Inc. was technically non-responsive in that ARB, Inc. proposed substitutions to the construction trailers due to the inability to obtain the specified trailers and proposed schedule modifications due to the inability to obtain certain items of equipment within the schedule specified in the Specification; and

WHEREAS, the bid of ARB, Inc. is less than the Engineer’s Estimate for the work developed by the City’s project team; and

WHEREAS, ARB, Inc. has satisfactorily performed work on the Grayson Power Plant Units for many years; and

WHEREAS, the Unit 9 separation work is a critical path item for the Grayson Repowering Project, and given long lead times to procure the equipment for the project,

it is important to move forward on the work without delay; and

WHEREAS, re-bidding of the work would delay the start of the work and is unlikely to generate additional or responsive bids, and other bidders would face the same supply chain constraints and long lead times for procurement as ARB, Inc.; and

WHEREAS, Glendale Charter Art. VI, Sec. 9 states: that “The council, after rejecting bids, or if no bids are received, may readvertise for bids, or may have the work done by city forces if it determines that city forces can economically do the work, or it may have the contract negotiated without further bidding; and

WHEREAS, Glendale Charter Art. VI, Sec. 9 further provides an exemption to competitive bidding where the Council determines it is the best interest of the City; and

WHEREAS, it is in the City’s best interest, upon recommendation of the City Manager and General Manager of GWP, to reject the sole bid received from ARB, Inc., dispense with further competitive bidding, and authorize the City Manager, or his designee, to negotiate and execute a contract with ARB, Inc., the sole bidder responding to the City’s Bid Specification No. 3904 for the Unit 9 Separation Project.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE:

1. That the foregoing facts are deemed to be true and correct and a basis for rejecting the sole bid received from ARB, Inc., in response to Request for Bids for the Unit 9 Separation project (Specification No. 3904), dispensing with further competitive bidding, and authorizing the City Manager, or his designee, to negotiate and execute a contract with ARB, Inc. for the Unit 9 Separation project for an amount not to exceed \$4,247,507 plus a ten percent (10%) contingency in the amount of \$424,750.

2. The Council hereby rejects the sole bid of ARB, Inc. in response to Request for Bids for the Unit 9 Separation project (Specification No. 3904), dispenses with further competitive bidding and authorizes the City Manager, or his designee, to negotiate, enter into and execute a contract with ARB, Inc., for the Unit 9 Separation Project in the amount of \$4,247,507 plus a ten percent (10%) contingency in the amount of \$424,750. The form of said contract shall be subject to the approval of the City Attorney.

Adopted this _____ day of _____, 2022.

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

I, Dr. Suzie Abajian, Clerk of the City of Glendale, certify that the foregoing Resolution No. _____ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2022, and that same was adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk