

Mar. 27. 2008 10:48AM

NESBITT CONTRACTING

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#23



PHONE (480) 423-7600
FAX (480) 423-7680

NESBITT CONTRACTING CO., INC.

EQUAL OPPORTUNITY EMPLOYER

GENERAL ENGINEERING CONTRACTOR

100 S. PRICE ROAD, TEMPE, AZ 85281-3118

License No. ROC074063A

FAX TRANSMITTAL SHEET

DATE: 03/27/2008 FROM: Steven L. Roulo EXT: 610

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Robert Combs
COMPANY: City of Chandler
FAX NO: 480-782-2410
RE: Dobson & Warner Intersection Improvements
Project No. ST0401-401

Total pages including cover: 2
*** If all pages are not received please contact me at (480) 423-7600 ***

Dear Mr. Combs,

Following this cover page is our protest to the above mentioned job. The original will be hand delivered today. Please call me at 602-339-0861 should you wish to discuss this matter. Thank you

Thank you,
Nesbitt Contracting Co., Inc.

Steven L. Roulo
Vice President

Cc: Ray Buglion 480-782-3330

Post-It® Fax Note	7671	Date	3-27	# of pages	2
To	DENNIS STENKITA	From	R. COMBS		
Co./Dept	MS	Co.			
Phone #		Phone #	2403		
Fax #	2253	Fax #			

Mar. 27. 2008 10:48AM

NESBITT CONTRACTING

No. 7795 P. 2



PHONE (480) 894-2831
FAX (480) 894-5280

NESBITT CONTRACTING Co., Inc.

EQUAL OPPORTUNITY EMPLOYER

GENERAL ENGINEERING CONTRACTOR

100 S. PRICE ROAD, TEMPE, AZ 85281-3118

LICENSE NO. 074063A

Mr. Robert Combs
City of Chandler
Purchasing Dept.
249 E. Chicago St.
Chandler, AZ 85244-4008

March 27, 2008

Re: Dobson & Warner Intersection Improvements
Project No. ST0401-401

Dear Mr. Combs;

It is our understanding that the City of Chandler intends to award a contract to Pierson Construction Co. for construction of the referenced project based upon their bid submitted 3-13-08.

We are hereby protesting that award for the following reasons:

1. The bid package submitted by Pierson was incomplete and did not include all forms as required by the instructions for bidders.
2. Pierson will not self-perform the required percentage of contract work.

We are asking that Pierson bid be labeled as unresponsive and that the contract be awarded to the lowest responsive bidder.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. Nesbitt", is written over a faint, larger version of the signature.

James L. Nesbitt
President & CEO

Cc: Ray Buglion 480-782-3330



**PURCHASING ITEM
FOR
COUNCIL AGENDA
Memo No. CA08-216**

1. Agenda Item Number:
23
2. Council Meeting Date:
March 27, 2008

TO: MAYOR & COUNCIL
THROUGH: CITY MANAGER

3. Date Prepared: March 7, 2008
4. Requesting Department: Public Works

5. SUBJECT: Award a construction contract to Pierson Construction Corporation for Dobson Road/Warner Road Intersection Improvements, Project No.ST0401-401, in an amount not to exceed \$7,512,783.90.

6. RECOMMENDATION: Staff recommends that Council award a construction contract to Pierson Construction Corporation for Dobson Road/Warner Road Intersection Improvements, Project No.ST0401-401, in an amount not to exceed \$7,512,783.90.

7. BACKGROUND/DISCUSSION: Work under this contract includes the construction of three auxiliary through lanes in each direction, dual left turn lanes in each direction, right turn lanes, curb and gutter, sidewalks, bus bays, bike lanes, water line, storm water drainage/retention, traffic signals, street lights, landscape and irrigation, and utility relocations.

8. EVALUATION: Four bids were received on March 13, 2008 and opened on March 14, 2008. The results were as follows.

<u>Contractor:</u>	<u>Bid:</u>
1) Pierson Construction Corp.	\$ 7,512,783.90
2) Nesbitt Contracting Co.	\$ 7,882,241.55
3) Blucor Contracting	\$ 7,928,596.78
4) Austin Bridge & Road	\$ 9,828,739.30

The engineer's estimate of \$7,530,918 was based on a 210 day construction time. The construction contract time is 180 days for substantial completion and 210 days for total completion. Construction inspection will be performed by the City's inspection staff. Construction is scheduled to commence in April 2008.

9. FINANCIAL IMPLICATIONS:

Cost: \$7,512,783.90
Savings: \$3,000,000.00 (CMAQ Funds)
Long Term Costs: \$9,500/year for street light energy costs, landscape and street maintenance

Fund Source:

<u>Acct. No.:</u>	<u>Fund Name:</u>	<u>Program Name:</u>	<u>CIP Funded:</u>	<u>Amount:</u>
101.3310.0000.6517.8ST313	General Funds	Dobson Rd/Warner Rd Intersection	FY 07/08	\$ 138,578.00
217.3310.0000.6517.8ST313	Grants In Aid Fund - SRF	Dobson Rd/Warner Rd Intersection	FY 07/08	\$ 3,000,000.00
411.3310.0000.6517.7ST313	GO Bonds-Streets	Dobson Rd/Warner Rd Intersection	FY 06/07	\$ 571,566.00
411.3310.0000.6517.8ST313	GO Bonds-Streets	Dobson Rd/Warner Rd Intersection	FY 07/08	\$ 2,669,055.90
601.3820.0000.6714.8WA110	Water Bond Fund	System Upgrades During Street Construction	FY 07/08	\$ 1,133,584.00

10. PROPOSED MOTION: Move that Council award a construction contract to Pierson Construction Corporation for Dobson Road/Warner Road Intersection Improvements, Project No.ST0401-401, in an amount not to exceed \$7,512,783.90, and authorize the Mayor to sign the contract documents.

ATTACHMENTS: Location Map

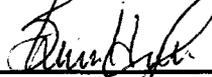
APPROVALS

11. Requesting Department



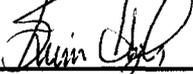
Daniel W. Cook, Deputy Public Works Director

13. Department Head



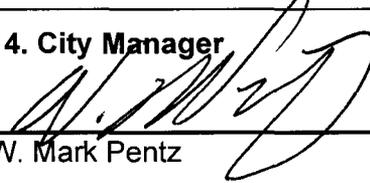
R.J. Zeder, Public Works Director *Atty*

12. City Engineer



Sheina Hughes, Assistant Public Works Director/City Engineer

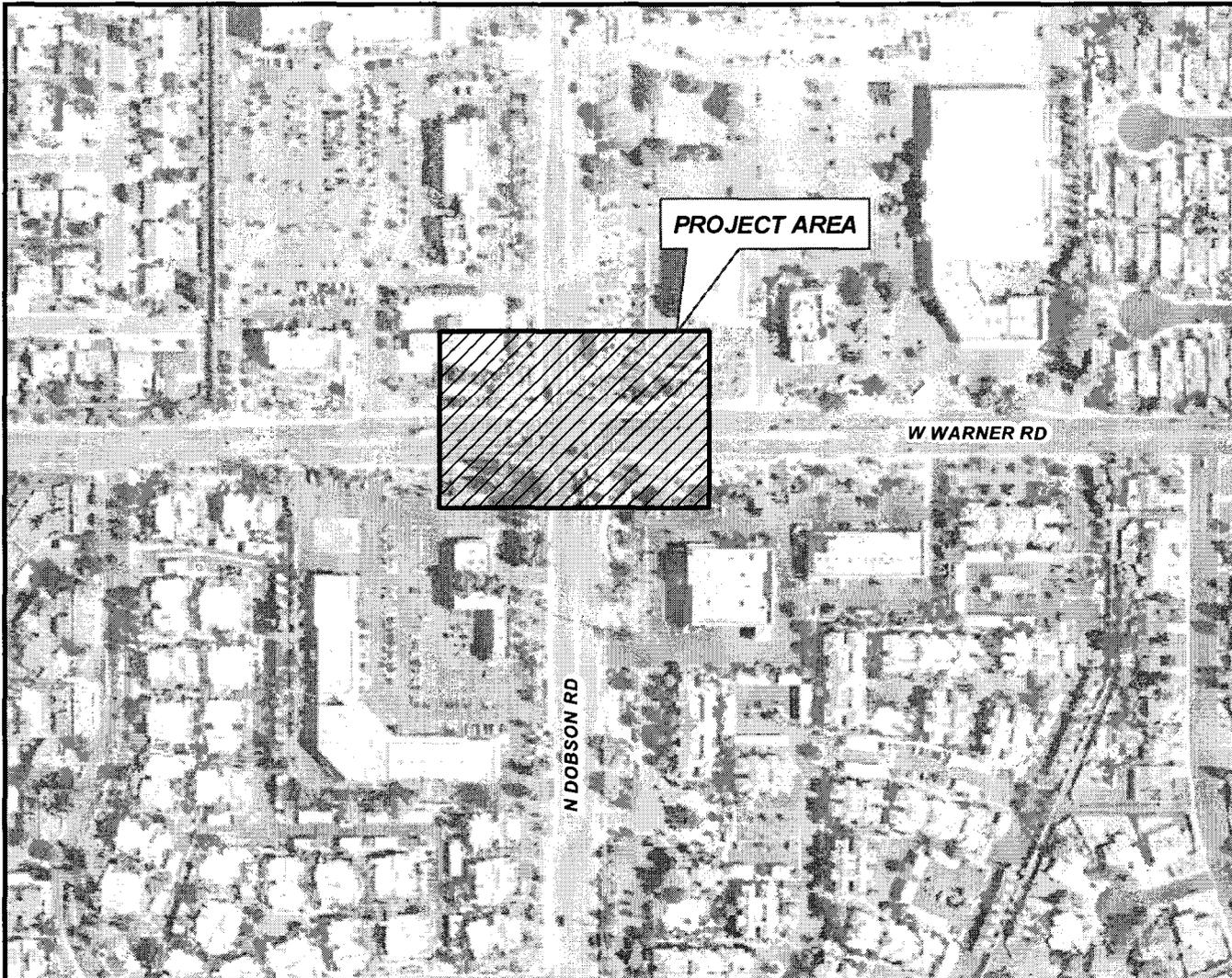
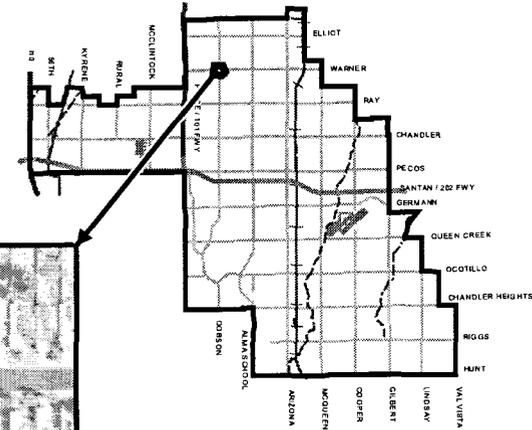
14. City Manager



W. Mark Pentz



DOBSON RD AND WARNER RD INTERSECTION IMPROVEMENTS PROJECT NO. ST0401-401



MEMO NO. CA08-216

 INTERSECTION IMPROVEMENTS

