

**TOWN OF FAIRFAX
STAFF REPORT**

To: Mayor, Members of the Town Council

From: Judy Anderson, Interim Town Manager/Town Clerk

Date: December 5, 2012

Subject: Adoption of Resolution No. 12-75, a Resolution of the Town Council of the Town of Fairfax Rescinding the award of bid for the Sir Francis Drake Bike Lane Striping Project

RECOMMENDATION

Motion to adopt Resolution No. 12-75, a Resolution of the Town Council of the Town of Fairfax Rescinding the award of bid for the Sir Francis Drake Bike Lane Striping Project and Authorizing a New Release of the Bids and Specifications for this project.

DISCUSSION

The award of bid for this project was made at the November 7th meeting. Subsequently it was determined that a "Good Faith" effort to comply with the Disadvantaged Business Enterprise (DBE) was not made by the contractor awarded the bid for the project. As a project funded by the Non-Motorized Transportation Pilot Program, compliance with the DBE is mandatory.

The adoption of Resolution No. 12-75 will also authorize a new release of the project for bid. The implementation of the project shouldn't be delayed by the new bid process since the work probably wouldn't have been completed before the Spring of 2013 anyway.

ATTACHMENT

Resolution No. 12-75

RESOLUTION 12-75

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX RESCINDING THE
AWARD OF BID FOR THE SIR FRANCIS DRAKE BIKE LANE STRIPING PROJECT
AND AUTHORIZING A NEW RELEASE OF THE BIDS AND
SPECIFICATIONS FOR THIS PROJECT**

WHEREAS, Non-Motorized Transportation Pilot Program (NTPP) funding is available for this project and has been secured; and

WHEREAS, a Federal Requirement for such funding is adherence to the Disadvantaged Business Enterprise (DBE) requirements by the bidders on the project; and

WHEREAS, a Good Faith Effort to meet the DBE requirements was not made by the lowest bidder for this project, Bayside Stripe and Seal;

WHEREAS, the lack of compliance with the DBE requirements was not known at the time of the award of the bid;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Fairfax, hereby rescinds the award of bid to Bayside Stripe and Seal for the Sir Francis Drake Bike Lane Striping Project made on November 7, 2012, and authorizes a new release of the bids and specifications for this project.

The foregoing Resolution was duly introduced and adopted at an adjourned meeting of the Town Council of the Town of Fairfax held in said Town on the 5th day of December, 2012, by the following vote:

AYES:

NOES:

ABSENT:

MAYOR

Attest:

Judy Anderson, Town Clerk