

CITY OF BUCKLEY, WASHINGTON

RESOLUTION NO. 23-06

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUCKLEY,
PIERCE COUNTY, WASHINGTON REJECTING ALL BIDS ON THE
HINKLEMAN ROAD REHABILITATION PROJECT .**

WHEREAS, on May 11, 2023 the City of Buckley received eleven bids in response to a call for bids on the Hinkleman Road Rehabilitation Project; and

WHEREAS, RCW 39.30.060(1)(b) requires that invitations to bid for projects involving rebar work expressly identify the subcontractor assigned to do the rebar work, or in the alternative that the contractor will do the work “[w]ithin 48 hours after the published bid submittal time...;” and

WHEREAS, the Hinkleman Road Rehabilitation Project involves rebar work; and

WHEREAS, the City’s invitation to bid required the rebar information to be provided within one hour after the published bid submittal time; and

WHEREAS, four of the eleven bids failed to identify a subcontractor or themselves as doing the rebar work for the project as required by RCW 39.30.060(1)(b) ; and

WHEREAS, RCW 39.30.060(2) provides that failure of a bid to name rebar contractor/subcontractors shall render the bid void and unresponsive; and

WHEREAS, rebar installation was a very minor part of the project and the failure of so many bidders to comply with RCW 39.30.060(1)(b) suggests that those bidders might have reasonably failed to notice that rebar installation was part of the project; and

WHEREAS, the one hour limitation on providing rebar information in the call for bid could be potentially construed as inconsistent with the allowance of up to 48 hours authorized by RCW 39.30.060(1)(b) to identify rebar contractor/subcontractors after published bid submittal time, and

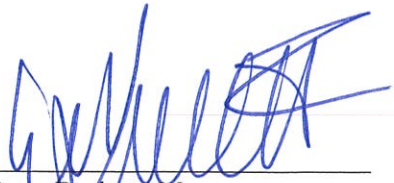
WHEREAS, in an abundance of caution to provide for a fair and competitive process that is consistent with RCW 39.30.060(1)(b), the City Council has determined it to be in the public interest to reject all bids and readvertise the project;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Buckley hereby declares:

Section 1. . All bids received for the Hinkleman Road Rehabilitation Project, due May 11, 2023, are hereby rejected and the Public Works Director is hereby authorized to readvertise the project with a new call for bids.

Section 2. This Resolution shall take place immediately.


Introduced, passed and approved this 23rd day of May 2023.


Beau Burkett, Mayor

ATTEST:


Treva Percival, City Clerk

APPROVED AS TO FORM:


Phil Olbrechts, City Attorney

Posted: May 24, 2023