

RESOLUTION NO. 3303-16

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
REJECTING THE APPARENT LOW BID, AWARDING A CONTRACT TO THE
LOWEST RESPONSIVE BID AND AMENDING THE FISCAL YEAR 2016-2017
BUDGET IN THE AMOUNT OF \$200,128 TO FUND THE WINDSOR TOWN GREEN
PLAYGROUND RENOVATION PROJECT**

WHEREAS, on June 17, 2015, the Town Council adopted the Fiscal Year 2015-17 budget; and

WHEREAS, on June 17, 2015 the Council adopted the Capital Improvement Program for Fiscal Years 2015-2020 including the Windsor Town Green Playground renovation project (the “Project”); and

WHEREAS, a Request for Bids for the Project was released on June 28, 2016 and was posted on the Town’s website; and

WHEREAS, on July 26, 2016 three bids were received for construction of the Project; and

WHEREAS, Breneman Inc. had the apparent low bid of \$235,608; and

WHEREAS, on August 1, 2016 the Town received a bid protest challenging Breneman Inc.’s bid package; and

WHEREAS, in accordance with California law, Town Staff in consultation with legal counsel, determined that Breneman Inc. is non-responsive; and

WHEREAS, Fieldstone Construction Co. is the new lowest responsive bid with \$260,157; and

WHEREAS, the approved Project budget of \$270,000 includes \$35,000 contributed from the Windsor Parks and Recreation Foundation, \$60,000 from Community Development Block Grant (CDBG) Funding and \$175,000 from the Capital Replacement Fund; and

WHEREAS, the approved Project budget has a shortfall of \$200,128; and

WHEREAS, staff is requesting a budget amendment for \$200,128 which augments the approved Project budget and provides the additional project funding and contingency funds required to complete the Project.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor approves amending the Fiscal Year 2016-17 budget as follows:

Section I – Increase in Appropriations:

185-40-25-044-4510-000 Town Green Improvements \$200,128

Purpose: To cover the cost of amendment.

Section II – Source of Funding:

Capital Replacement Fund

\$200,128

Impact: Decreases the fund balance.

PASSED, APPROVED AND ADOPTED this 17th day of August 2016, by the following vote:

AYES: COUNCILMEMBERS FOPPOLI, OKREPKE, SALMON,
VICE MAYOR FUDGE, AND MAYOR MILLAN

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



MARK MILLAN, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK