

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA ACCEPTING BIDS AND AWARDING A  
CONTRACT BETWEEN THE CITY AND FLATIRON WEST,  
INC. FOR THE “HERITAGE ROAD BRIDGE REPLACEMENT  
(STM0386) AND MAIN STREET WIDENING (STM0388)”  
PROJECTS

WHEREAS, the “Heritage Road Bridge Replacement (STM0386) and Main Street Widening (STM0388)” project (“Project”) is intended to widen the Main Street eastbound lanes from Nirvana Avenue to Heritage Road, and construct a replacement bridge south of Main Street, across the Otay River on Heritage Road; and

WHEREAS, on July 5, 2024, the Department of Engineering and Capital Projects solicited bids for the Project in accordance with Chula Vista Municipal Code section 2.56.160(A); and

WHEREAS, on September 4, 2024, the Director of Engineering and Capital Projects received four (4) sealed bids for the Project; and

WHEREAS, the low bid for the Project was submitted by Flatiron West, Inc. in the amount of \$48,853,898.00 which is 5.6% lower than the Engineer’s estimate; and

WHEREAS, staff received a bid protest from the second apparent low bidder eight (8) days after bid opening, which was untimely as contract requirements specify “all bid protest must be presented... within five (5) consecutive working days after the bid submission deadline...”; and

WHEREAS, the basis of the protest stems from Flatiron West, Inc’s subcontractor listing not including a subcontractor, Golden West, that was listed on their DBE commitment form; and

WHEREAS, staff reviewed the basis of the protest and determined that Golden West is a second tier subcontractor to Flatiron West, Inc. and per Public Contracting Code Section 4104, Flatiron West, Inc. is only required to list first tier subcontractors on the project subcontractor listing form making the basis of protest invalid; and

WHEREAS, staff determined that the bid submitted by Flatiron West, Inc. is responsive to the bid specifications and requirements, and that Flatiron West, Inc. is the lowest responsive and responsible bidder; and

WHEREAS, staff recommends awarding the public works contract for the Project to Flatiron West, Inc. in the amount of \$48,853,898.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it:

1. Accepts bids for the “Heritage Road Bridge Replacement (STM0386) and Main Street Widening (STM0388)” project.
2. Finds that the above Recitals are true and correct, that the bid protest was untimely, and that Flatiron West, Inc.’s bid is responsive in all material matters to the bid solicitation.
3. Awards the public works contract for the “Heritage Road Bridge Replacement (STM0386) and Main Street Widening (STM0388)” project to Flatiron West, Inc. in the amount of \$48,853,898.00.

Presented by

Approved as to form by

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Matthew Little, PE  
Deputy City Manager/Director of  
Engineering and Capital Projects

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Marco A. Verdugo  
City Attorney