

# City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

July 6, 2011

**CITY ADMINISTRATOR**  
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**CITY COUNCIL**  
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**COMMUNITY DEVELOPMENT**  
• Building  
• Planning  
• Environmental Resources  
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• Maintenance  
• Public Works  
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**FINANCE & ADMINISTRATIVE SERVICES & CITY TREASURER**  
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**FIRE & EMERGENCY MEDICAL SERVICES**  
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**POLICE**  
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**RECREATION & COMMUNITY SERVICES**  
1249 Marin Avenue  
PH. (510) 524-9283  
FAX (510) 528-8914

• Friendship Club/  
Childcare Program  
PH. (510) 559-7220

• Senior Center  
PH. (510) 524-9122  
FAX (510) 524-8940

• Teen Center  
PH. (510) 525-0576

Richard W. Ghilotti, President  
Ghilotti Construction Company  
246 Ghilotti Avenue  
Santa Rosa, CA 95407

Babak Rahebi, President  
Redgwick Construction Company  
8150 Enterprise Drive  
Newark, CA 94560

Subject: Pierce Street Pavement Rehabilitation and Phase I Bikeway  
Contract No. C09-05 (11-3)

Re: **NOTICE OF DECISION TO RESCIND PRIOR DETERMINATION TO REJECT ALL BIDS, GRANTING RELIEF AND AWARD OF CONTRACT**

Gentlemen:

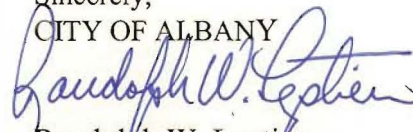
On June 21, 2011, the City received two bids for the subject project. Ghilotti Construction submitted the apparent low bid. The second low bid was submitted by Redgwick Construction. On June 27, 2011 Ghilotti Construction issued a letter to the City requesting relief from their bid in accordance with the provision of Section 5100 of the Public Contracts Code. The City did not take action on this request, but rather issued letters to both bidders indicating that the City had decided to reject all bids and re-bid the project because the Deputy City Clerk reported to me that the official Notice to Bidders had not been published in a newspaper of general circulation as required.

On July 5, 2011 I learned from the City's Associate Civil Engineer that she had published the Notice in a paper of general circulation as required. A copy of the proof of publication is attached. Unfortunately, she was on vacation last week and we were not able to confirm the publication until after we had issued a Notice to you that the City intended to rebid this project. Therefore, in light of this new information, the City makes the following determinations with respect to the bids submitted on July 21, 2011:

1. The City rescinds its prior decision to reject all bids
2. The City grants to Ghilotti Construction relief from their bid
3. The City finds that the bid submitted by Redgwick construction is the lowest responsible, responsive bid for this project.

Please feel free to contact the undersigned at 925-228-4218 office, 925-519-9144 cell and [rleptien@albanyca.org](mailto:rleptien@albanyca.org) should you have any questions.

Sincerely,  
CITY OF ALBANY

  
Randolph W. Leptien  
City Engineer

Encl.

Copy: Beth Pollard  
Robert Zweben  
Ann Chaney  
Rich Cunningham