

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

County of Sonoma  
Santa Rosa, CA 95403

Date: \_\_\_\_\_

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA ("COUNTY"), STATE OF CALIFORNIA, AWARDING THE CONSTRUCTION CONTRACT FOR THE CHARLES M. SCHULZ-SONOMA COUNTY AIRPORT PASSENGER TERMINAL EXPANSION AND RENOVATION CONSTRUCTION CONTRACT TO MURRAY BUILDING, INC., AS THE LOWEST RESPONSIBLE, RESPONSIVE BIDDER.**

**WHEREAS**, the County advertised the Charles M. Schulz-Sonoma County Airport Passenger Terminal Expansion and Renovation Construction Contract Project ("Project") for bid on March 6, 2009; and

**WHEREAS**, the Project as bidded consists of a base project and four possible alternates depending on whether Federal funding is available; and

**WHEREAS**, the Project bid specifications stated that the Project would be awarded to the lowest responsible and responsive bidder for the base project; and

**WHEREAS**, Murray Building, Inc. ("Murray") submitted the lowest bid for the base project; and

**WHEREAS**, JDS Builders Group, Inc. ("JDS"), the second lowest bidder, submitted a bid protest, protesting the award of the Project to Murray; and

**WHEREAS**, County staff prepared a response determination letter to the bid protest, determining that the protest lacks merit and should be denied, and specifying the procedure for further appeal of the bid protest to the Board, and provided the letter to JDS and other bidders; and

**WHEREAS**, JDS has responded to the County that they will not be pursuing the bid protest further and are withdrawing their bid protest.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors makes the following findings in connection with the award of the contract for the construction of the Project:

1. Bids were properly solicited in compliance with all legal requirements for the Project.
2. The basis of award was explained to the bidders for the Project to be the lowest responsible and responsive bidder on the bid amount for the base project.

3. After the bid opening, the lowest bidder was determined to be Murray by using the lowest total of the base bid.
4. The bid protest filed by JDS is rejected based on the reasons specified in the response determination letter prepared by County staff.
5. As specified in Paragraph 6 below, the bid for the Project is accepted by Murray, and the contract for the Project is awarded to Murray, as the lowest responsible and responsive bidder according to the bid criteria.
6. Subject to final FAA funding authorization, and upon receipt of the required bonds, insurance certificates, and any other required documents, the Director of Transportation and Public Works is authorized to award the base project in the amount of \$1,045,000 and to award alternate bid items one and two, in the amounts of \$334,026 and \$203,683, respectively, to Murray for a total of up to \$1,582,709. Should the County not receive FAA grant funding for alternates one and/or two, the Director is authorized to award the minimum of the base project and any of alternates one or two that are funded to Murray, and complete any other necessary documentation for the Project.

**SUPERVISORS:**

Brown\_\_\_\_\_ Kerns\_\_\_\_\_ Zane\_\_\_\_\_ Carrillo\_\_\_\_\_ Kelley\_\_\_\_\_

Ayes\_\_\_\_\_ Noes\_\_\_\_\_ Abstain\_\_\_\_\_ Absent\_\_\_\_\_

**SO ORDERED.**