

**CONSOLIDATED ENGINEERS, INC.**

P.O. BOX 1035
GILLETTE, WYOMING 82717

316 SOUTH GILLETTE AVE.
PHONE: (307) 682-0768

July 1, 2015
Project No. 5012-CQ

City of Gillette
Administrative Services
P.O. Box 3003
Gillette, Wyoming 82717-3003

ATTN: Pam Boger, Director

RE: AVA Community Arts Center – Roof Replacement

Dear Pam:

Bids were received at 2:00 P.M. on June 30, 2015 for the above referenced Project, with three (3) contractors submitting bids. A bid bond in the amount of five percent (5%) of the amount bid was included with each of the Bids. Only one of the contractors (Hladky Construction) acknowledged Addendum No. 1. A "Certificate of Residency Status" was also submitted with each of the three (3) Bids.

The following is a listing of the Bids received, the commentary on their review, and our recommendations:

A. Bids Received:

Bidder	Base Bid	Alternate 1	Alternate 2
Michael's Construction, Inc.	\$280,393.00	\$26,917.00	\$4,132.00
Wyoming Roofing & Supply, LLC	\$ 36,472.00	\$16,905.00	N/A
Hladky Construction, Inc.	\$225,919.00	\$28,700.00	\$5,700.00

The base bid is for the roof above the larger portion of the building.
Bid Alternate #1 is for the roofs of the two smaller areas on the east side.
Bid Alternate #2 is for the upgrade to acoustical steel decking.

B. Apparent Low Bid:

Wyoming Roofing & Supply, LLC is the apparent low bidder; however their base bid amount is only 16% of the next low bid. This wide discrepancy raises questions about the legitimacy of the bid, since the amount is only a small fraction of the other two bids. Therefore, a telephone call to Wyoming Roofing

was made by Tim Jager of DBA. The following was learned:

1. Wyoming Roofing has a new estimator who was unaware that they should be bidding as a sub-contractor to the general contractors, not as a general contractor themselves.
2. Their bid price only included the removal of the existing roof membrane, and the installation of the new roof membrane.
3. Their bid price did ***not*** include the steel deck demolition, the new steel deck, the other demolition work, the electrical work, the structural steel work, etc.

It is our understanding that Wyoming Roofing & Supply, LLC has acknowledged their error and will be submitting a request to withdraw their bid.

Section 5.2 of the Instructions to Bidders for this project states "*The Owner shall have the right to reject any or all Bids.*" Additionally, Section 5.3.1 states "*It is the intent of the Owner to award a Contract to the lowest qualified Bidder . . .*". Also, "*The Owner shall have the right to . . . accept the Bid which, in the Owner's judgment, is in the Owner's own best interests.*"

Also, a review of the Bid documents reveals the following:

- A. The 'Name of Bidder' on the Bid Form is shown as "*Wyoming Roofing & Supply, LLC*". However, the name of the firm on the Certificate of Residency, and on the Bid Bond is shown as "*Wyoming Roofing & Supply II, LLC*".
- B. The Bid was signed by 'Jame Kelley', as 'Estimator'. No evidence was included that documents that this person is an authorized representative of the LLC.

A review of the Wyoming Secretary of State's website for this entity shows that there is a company registered as 'Wyoming Roofing & Supply' (no indication of being an LLC), and a company registered as 'Wyoming Roofing & Supply II, LLC'. There was no firm registered as 'Wyoming Roofing & Supply, LLC'. The website lists the Registered Agent as Ryan Gregory, which apparently is not the name of the person who signed the Bid.

It is a significant discrepancy that the name of the firm on the Bid Form does not match the name given on the Bid Bond and the Certificate of Residency. Therefore, the Bid should be considered irregular and non-responsive. Additionally, since the name of the bidding firm is not registered with the Wyoming Secretary of State, there is reason to suspect the legitimacy of the bid.

Another issue with this bid is that it did not acknowledge Addendum No. 1.

Therefore, it is our opinion that the project documents give the City of Gillette the right to reject the Wyoming Roofing & Supply bid since it is non-responsive and irregular. It is also our opinion that the acceptance of a bid that obviously has gross errors is not in the best interests of the City.

C. Bid Analysis:

The base bid amounts of the other two bidders (Michael's and Hladky) are in the range of the early budgetary estimates provided to the City.

Michael's Construction and Wyoming Roofing did not provide a listing of proposed sub-contractors. Hladky Construction provided the following listing of proposed sub-contractors:

Low Roofing	Roofing work
Geer Fabrication	Steel vendor
Edge Electric	Electrical work
Raisley Painting	Painting
Powder River Heating	HVAC work

All three bids had the Certificate of Non-Discrimination attached.

D. Recommendations:

Consolidated Engineers recommends that the Wyoming Roofing & Supply bid be rejected.

Consolidated Engineers further recommends that a contract be awarded to the second low bidder, Hladky Construction, Inc., for the Base Bid in the amount of \$225,919.00.

We also recommend that the City examine funding availability and consider awarding both Alternate #1 and Alternate #2 to Hladky Construction. Alternate #1 will re-roof the entire facility and provide a single overall roofing warranty for the whole building. Alternate #2 will provide acoustical decking, which will improve the acoustics in the large room. This will add \$34,400.00 to the contract. If awarded the total amount of the contract would be:

\$225,919.00	Base Bid
\$ 28,700.00	Alternate #1
\$ 5,700.00	Alternate #2
\$260,319.00	Total

If you have any questions concerning this Project, please contact us.

Sincerely,



Edward S. Scott, PE
Principal Engineer

xc: Dale Buckingham Architects