

Special Meeting  
March 17, 2011

MINUTES  
12:30 p.m.

Central Branch  
2090 Kittredge Street

I. PRELIMINARY MATTERS

*A copy of the agenda packet and a digital recording of this meeting is accessible at  
[http://www.berkeleypubliclibrary.org/about\\_the\\_library/bolt/bolt.php](http://www.berkeleypubliclibrary.org/about_the_library/bolt/bolt.php)*

A. Call to Order

The special meeting of March 16, 2011 was called to order by Chair Kupfer at 12:40 PM.

**Present:** Trustees Winston Burton, Abigail Franklin, Carolyn Henry-Golphin, Susan Kupfer and Darryl Moore.

**Absent:** none

**Also present:** Donna Corbeil, Director of Library Services; Dennis Dang, Library Admin Manager; Suzanne Olawski, Branch Library Manager; Eve Franklin, Administrative Secretary.

Steve Dewan and Maria Denny, Kitchell CEM

B. Public Comments – none.

II. ACTION

A. Reject and rebid contract for renovation and construction of the North Branch Library project

Director Corbeil provided a summary of the process to date. 6 bids were received. The two lowest bidders requested to withdraw their bids due to clerical errors on their bid submittals. The requests were reviewed and it is recommended those requests to withdraw be accepted. The bigger issue is that the lowest bid was well over what we were hoping to see. We're asking permission to take project back out to bid with clarifications and additional information.

Trustee Franklin – What do we do if the bids don't come in lower? *Director Corbeil – We'll have to see what happens, this is the next good step to try before we do something more drastic like consider redesign. There were some things that maybe were unclear to contractors there are also some things we could do looking at materials that wouldn't change the scope of the project but could bring costs back down.*

Trustee Burton – Do the contractors that are going to bid know that we have a number we're aiming for? *Director Corbeil – It is public information, we gave City Council a range of numbers. The contractors will know what the bids amounts were in the first round. The list of bidders and bid amounts is a public document. Steve will work on the next addendum which will explain that we've rejected all the bids and will identify some clarifications that we hope will lower costs, and some changes, for example looking at the lighting fixtures, steel downspouts as opposed to copper downspouts. Architects worked with staff to identify items for possible savings.*

Trustee Burton – How much will this process delay the schedule? *Steve Dewan – One to two months. We're looking at a bid opening date of March 31.*

Trustee Kupfer – Would it only be these contractors? *No, the two contractors who asked to withdraw cannot resubmit bids, but the other four contractors can and other contractors who didn't bid the first time may submit bids. The building plans are available in plan rooms.*

Trustee Moore – What were the reasons for the higher bids? *There is no clear answer for that. An analysis of the bids that were already submitted will help us identify areas that might need clarification to help bring bid costs down.*

Trustee Burton – Each branch was assigned a dollar amount for the total project, are there any savings from architect portion that could be transferred to construction portion? *Architect costs are on budget at this time. There is no leftover money from architects that could be transferred to construction portion of the project.*

Director Corbeil outlined the upcoming schedule. Bids will be opened March 31. Staff will need time to analyze the bids, allow time for any bid protests, or bid withdrawals. We have asked City Council to put us on the agenda for the next meeting (April 26). Due to the tight schedule, we may need to have a special meeting in April to approve a recommendation to City Council on the contract.

Trustee Burton – Is there a sense that the bidders are eager to re-bid? *Steve Dewan – the four other bidders have indicated they are interested in re-bidding, other contractors who didn't submit the first time may also submit bids.*

Trustee Franklin – Is it common to have 30% of the bids withdrawn? *Steve Dewan - It's not that common, I think in this situation they just made an error. They have to prove that they made a clerical error not a error of judgment.*

**R11-019 Moved by Trustee Moore seconded by Trustee Burton to adopt a resolution to recommend City Council adopt a resolution: Accepting the requests to withdraw bids received from D. L. Falk Construction and J. H. Fitzmaurice, Inc.; and reject all remaining bids received on February 17, 2011, prepare a new addendum, and reopen the bidding for the project as modified by the new addendum.** Motion passed unanimously.

**B. Contract: Fine Line Construction for Renovation and Construction of the Claremont Branch Library**

Director Corbeil summarized process to date. Lowest bidder was Fine Line Construction. There was a bid protest . John Rosenbrock arranged a meeting between the two contractors to discuss the issues and ultimately determined the protest should be denied. Amount of contract staff has requested includes an 11% contingency.

Trustee Moore – Why more bidders on Claremont than North. *Claremont is mostly interior work, North has expansion, different type of projects attract different contractors.*

Trustee Moore – Has Kitchell worked with Fine Line Construction before? *Yes.*

Trustee Franklin – Has our architect worked with Fine Line Construction before? *Director Corbeil – I don't know if our architect has worked directly with them but Fine Line has worked quite a bit in the Bay Area, including a couple of the San Francisco Public Library projects. They are experienced, well-established and have done a wide variety of projects including historic projects. We think they are going to bring good experience to the project. We have a really good team(Steve Dewan, Maria Denny and John Rosenbrock) who will help us through the construction phase, we will be well represented in the field.*

Trustee Burton – Are any of these local? *Steve Dewan – Fine Line is based in San Francisco. We'd have to check their sub-contractors addresses. Director Corbeil – keep in mind that the union requirement that was passed by city council will apply to these projects. Contractors and sub-contractors will need to comply with the local requirement that was passed by city council.*

**R11-020 Moved by Trustee Moore, seconded by Trustee Franklin to adopt a resolution to recommend City Council adopt a resolution: 1) Approving plans and specifications for the Berkeley Public Library Claremont Branch Improvement Project; 2) Denying protest filed by second low bidder; 3) Accepting the bid of Fine Line Construction; and 4) Authorizing the City Manager to execute a contract and any extensions or change orders until completion of the project in an amount not to exceed \$3,300,000.** Motion passed unanimously.

**C. Authorize temporary closure of Claremont and North Branch libraries for improvements**

Chair Kupfer – Will North Branch closure be delayed? *Director Corbeil –Yes, but we have a pretty aggressive schedule to mitigate. At this point we are assuming that we will get approval from the city council on April 26 and have our notice to proceed soon after. We wouldn't announce closures until we have better sense that we are actually moving forward. Will publicize closures and BranchVan schedules with banners, bookmarks, brochures, website announcements, signage, press releases.*

- R11-021** Moved by Trustee Moore, seconded by Trustee Franklin to adopt a resolution authorizing the temporary closures of the North Branch Library and Claremont Branch Library for renovations and new construction for a term of approximately 12 - 14 months for the period from Spring 2011 through Summer 2012 for the North Branch, and for a term of approximately 9 - 12 months for the period from Spring 2011 through Spring 2012 for the Claremont Branch and authorizes the Director of Library Services to determine the dates of closure. Motion passed unanimously.

<b>III. AGENDA BUILDING</b>
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- A.** The next meeting will be a Regular Meeting held at 6:30 PM on Wednesday, April 13, 2011 at the South Branch Library, 1901 Russell Street, Berkeley.

Possible agenda topics:

1. Budget
2. BOLT Vacancy Interviews – Trustees to send possible questions to Director Corbeil.

<b>IV. ADJOURNMENT</b>
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- R10-022** Moved by Trustee Franklin, seconded by Trustee Henry-Golphin, to adjourn the regular meeting of the board at 1:18 PM. Motion passed unanimously.

This is to certify that the foregoing is a true and correct copy of the minutes of the special meeting of March 17, 2011 as approved by the Board of Library Trustees

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Donna Corbeil, Library Director, Secretary to BOLT