



MEMO

To: NCRA Board of Directors

From: Steve Honeycutt, Guillon Inc. Construction

Date: January 13, 2020

Subject: **Agenda Item F.2 – Discussion and Possible Action Regarding Final Bid Specifications for Ukiah Depot Improvements**

Munselle Civil Engineering was retained to prepare the necessary bid specifications which have now been completed. The package is very robust and includes many exhibits and backup materials to comprise the most complete set of documents for bidders to consider. Due to its bulk and technical nature it is not easily transmitted nor is it easily readable.

The package was distributed to several lead parties with the intent to demonstrate both the completion of the engineer's work and to potentially trigger completion by the Judicial Council of a needed Amendment to the Offsite Improvement Agreement. The Instructions to Bidders were emailed directly along with a link to the large remainder of the package so that the essential aspects could be directly obtained and read.

In addition to the updating of many general contract provisions, a central issue of the Amendment is the payment by JCC to contractors, engineers and other parties for work completed over two years ago. Such payment is very important to the upcoming bid, both as to the willingness of contractors to submit bids and to the likely prospect that contingency funds will be needed to complete the project.

Based on recent discussions with the Board's staff and legal counsel, it was concluded that the bid package must include the disclosure that the NCRA will not be able to guarantee payment for the construction. That disclosure is necessary but is not conducive to obtaining good bids from qualified bidders.

We will be in attendance at the Board meeting in Eureka to discuss the bid package and the complexities, hopefully leading to sufficient confidence by the Directors to endorse the bid documents and allow the scheduling of a productive conference with the JCC and related parties.

