



City Council Regular Meeting - 19 May 2025

SUBJECT/TITLE: Bid Award – Award of Contract CAG-25-044 for the World Cup Legacy Square Phase 1 (TED-40-4345 / TRO-41-4345 / WTR-27-4345 / WWP-27-4345)

RECOMMENDED ACTION: Council Concur

DEPARTMENT: Community & Economic Development Department

STAFF CONTACT: Emma Conley, Civil Engineer 3

EXT.: 425-757-6807

FISCAL IMPACT SUMMARY:

The low bid submitted by Active Construction, Inc., in the amount of \$1,501,501.00 is over the engineer’s estimate of \$1,061,058.43 by \$440,442.57 (42%). The project is funded through the Municipal Facilities Capital Improvement Fund (316 Fund), and sufficient funds are available within the project’s capital improvement budget of \$1,900,000.00 (316.332097.020.594.76.63.000) to cover Phase 1 construction costs.

SUMMARY OF ACTION:

The City of Renton Community and Economic Development department solicited bids from contractors interested in constructing park improvements and related site work area at 310 S 3rd St, near the intersection of S 3rd St and Logan Ave S. The project will include earthwork, utility installations, asphalt paving, lighting, park signage, concrete flatwork, site furnishings, landscape planting, and irrigation improvements. The project aims to provide a public space to support viewing future sporting events (more specifically the 2026 FIFA World Cup), as well as other various community events throughout the year.

Bids for the construction of this project were received and opened on Tuesday, May 6, 2025. A total of five (5) bids were submitted and the bid amounts are summarized below in ascending order:

Bid submitted by	Bid amount
Engineer’s Estimate	\$1,061,058.43
Active Construction, Inc.	\$1,501,501.00
L.W. Sundstrom, Inc.	\$1,758,250.00
Northwest Cascade, Inc.	\$1,852,848.00
A-1 Landscaping and Construction, Inc.	\$1,998,000.00
Ohno-Touchdown JV	\$2,850,000.00

City policy 250-02 allows for the bid award to be placed on the Council consent agenda with Council concur as the recommended action, if all the following 3 criteria are met:

1. More than one bid was received,
2. The lowest responsive and responsible bid was within the project budget, and
3. There were no significant irregularities with the lowest responsive and responsible bid.

The bids submitted for the project, including the bid by Active Construction, Inc., meets all three criteria in policy 250-02.

Community and Economic Development staff reviewed the submitted bid and determined that the bid is responsive, and that Active Construction, Inc. is a responsible bidder as defined in RCW 39.04.350, in Renton City policy 250-02 and in section 00 21 00-1.11 of the project specifications. The surety has confirmed with staff that the bid bond submitted by Active Construction, Inc. is valid. We have checked the bidder's provided references and determined that they have the required experience and expertise to perform the project. Active Construction, Inc. has successfully completed similar projects including previous projects with the City of Renton. Enclosed is the engineer's final bid tabulation, and the completed bidder assessment form.

EXHIBITS:

- A. CAG-25-044 - City Clerk - Bid Tab
- B. CAG-25-044-Bidder Assessment

STAFF RECOMMENDATION:

Award contract CAG-25-044 for the construction of the World Cup Legacy Square Phase 1 project to Active Construction, Inc. and authorize the mayor and city clerk to execute this contract in the amount of \$1,501,501.00.

**CITY OF RENTON
BID TABULATION SHEET**

Project: World Cup Legacy Square - Phase 1 Project - CAG-25-044

Due Date: May 6, 2025 due by 2:00 pm - Opening at 3:00 pm (Via ZOOM)

Bidder	Bid Total from Schedule of Prices *Includes Sales Tax
1 A-1 Landscaping and Construction, Inc. 20607 SR 9 SE Snohomish Washington 98296	\$1,998,000.00
2 Active Construction, Inc. P.O. Box 430 Puyallup Washington 98371	\$1,501,501.00
3 L.W. Sundstrom, Inc. P.O. Box 893 Ravensdale Washington 98051	\$1,758,250.00
4 Northwest Cascade, Inc. P.O. Box 733399 Puyallup Washington 98373	\$1,852,848.00

Engineer's Estimate

\$1,061,058.43 including WA State Sales Tax

**CITY OF RENTON
BID TABULATION SHEET**

Project: World Cup Legacy Square - Phase 1 Project - CAG-25-044

Due Date: May 6, 2025 due by 2:00 pm - Opening at 3:00 pm (Via ZOOM)

Bidder	Bid Total from Schedule of Prices *Includes Sales Tax
5 Ohno-Touchdown JV 9416 Martin Luther King Jr. Way S Seattle Washington 98118	\$2,850,000.00

Engineer's Estimate

\$1,061,058.43 including WA State Sales Tax

Bidder Assessment

World Cup Legacy Square Phase 1

CAG-25-044

Bid Opening: May 06, 2025

Bidder: **Active Construction, Inc.**

L&I Doing Business As (DBA): ACTIVE CONSTRUCTION INC

WA UBI No.: **273001533**

License No.: **ACTIVCI164JL**

Entity Type: *Profit Corporation*

Special Provisions Section 00 21 00

Item	Description	Determination
1.	A Proposal will be considered irregular and will be rejected if:	Criteria Met (Per Below)
1.a.	The Bidder is not prequalified when so required;	N/A
1.b.	The authorized Proposal form furnished by the Contracting Agency is not used or is altered;	No
1.c.	The complete Proposal form contains any unauthorized additions, deletions, alternate bids, or conditions;	No
1.d.	The Bidder adds provisions reserving the right to reject or accept the award, or enter into the Contract;	No
1.e.	A unit price (price per unit) cannot be determined from the Bid Proposal;	N/A
1.f.	The Proposal form is not properly executed;	No
1.g.	The Bidder fails to submit with their proposal, an original Bid Proposal Deposit in an amount equal to five percent (5%) of the Total Bid Amount, as required in Section 00 21 00 1.3;	No
1.h.	The Bidder elects to provide a Proposal Bid Bond for the Bid Proposal Deposit and does not submit or properly execute the Proposal Bid Bond form included in the Bid Documents, as required in Section 00 21 00 1.3;	No
1.i.	The Bidder fails to submit or properly complete a subcontractor list (Form C and Form D), if applicable, as required in Section 00 80 00;	No
1.j.	The Bidder fails to submit or properly complete a Disadvantaged Business Enterprise Certification (WSDOT Form 272-056), if applicable, as required in Section 1-02.6;	N/A
1.k.	The Bidder fails to submit Written Confirmations (WSDOT Form 422-031) from each DBE firm listed on the Bidder's completed DBE Utilization Certification that they are in agreement with the bidder's DBE participation commitment, if applicable, as required in Section 1-02.6, or if the written confirmation that is submitted fails to meet the requirements of the Special Provisions;	N/A
1.l.	The Bidder fails to submit DBE Good Faith Effort documentation, if applicable, as required in Section 1-02.6, or if the documentation that is submitted fails to demonstrate that a Good Faith Effort to meet the Condition of Award was made;	N/A
1.m.	The Bidder fails to submit a DBE Bid Item Breakdown (WSDOT Form 272-054), if applicable, as required in Section 1-02.6, or if the documentation that is submitted fails to meet the requirements of the Special Provisions;	N/A
1.n.	The Bidder fails to submit DBE Trucking Credit Forms (WSDOT Form 272-058), if applicable, as required in Section 1-02.6, or if the documentation that is submitted fails to meet the requirements of the Special Provisions;	N/A
1.o.	The Bidder fails to submit or properly execute the Contractor Certification, Wage Law Compliance – Responsibility Criteria, Washington State Public Works Contractors document, as required in Section 00 73 00 1.2	No
1.p.	The Bid Proposal does not constitute a definite and unqualified offer to meet the material terms of the Bid invitation; or	No
1.q.	More than one Proposal is submitted for the same project from a Bidder under the same or different names.	No
2.	A Proposal may be considered irregular and may be rejected if:	Criteria Met (Per Below)
2.a.	The Proposal does not include a unit price for every Bid item.	N/A
2.b.	Any of the unit prices are excessively unbalanced (either above or below the amount of a reasonable Bid) to the potential detriment of the Contracting Agency;	No
2.c.	Receipt of Addenda is not acknowledged;	No
2.d.	A member of a joint venture or partnership and the joint venture or partnership submit Proposals for the same project (in such an instance, both Bids may be rejected); or	No
2.e.	If Proposal form entries are not made in ink.	No

Item	Description	Determination
3	A Proposal will be considered irregular and may be rejected if:	Criteria Met (Per Below)
3.a.	The Bidder fails to submit with their Bid Proposal, evidence of the signatory's authority to sign the Bid Proposal on behalf of the business entity, as required in Section 00 21 00 1.2	No

City Special Provisions 1-02.14 Disqualification of Bidder

Item	Description	Determination
A Bidder will be deemed not responsible and the proposal rejected if the bidder does not meet the responsibility criteria in RCW 39.04.350(1), as amended.		Criteria Met (Per Below)
<i>RCW 39.04.350(1) - Section 00 21 00 Section 1.11 in Project Manual Confirm items shown in [red]</i>		
(1)	<i>Before award of a public works contract, a bidder must meet the following responsibility criteria to be considered a responsible bidder and qualified to be awarded a public works project. The bidder must:</i>	Criteria Met (Per Below)
(1)(a)	<i>At the time of bid submittal, have a certificate of registration in compliance with chapter 18.27 RCW; <Dept. of Labor and Industries></i>	Yes L&I Acct ID: 5200,933-00 Current
(1)(b)	<i>Have a current state unified business identifier number;</i>	WA UBI: 273 001 533
(1)(c)	<i>If applicable, have industrial insurance coverage for the bidder's employees working in Washington as required in Title 51 RCW;</i>	Yes
	<i>an employment security department number as required in Title 50 RCW;</i>	Yes, 596637-00 0
	<i>and a state excise tax registration number as required in Title 82 RCW;</i>	Yes, C 273 001 533 2
(1)(d)	<i>Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065(3);</i>	No
(1)(e)	<i>If bidding on a public works project subject to the apprenticeship utilization requirements in RCW 39.04.320, not have been found out of compliance by the Washington state apprenticeship and training council for working apprentices out of ratio, without appropriate supervision, or outside their approved work processes as outlined in their standards of apprenticeship under chapter 49.04 RCW for the one-year period immediately preceding the date of the bid solicitation;</i>	N/A
(1)(f)	<i>Have received training on the requirements related to public works and prevailing wage under this chapter and chapter 39.12 RCW. The bidder must designate a person or persons to be trained on these requirements. The training must be provided by the department of labor and industries or by a training provider whose curriculum is approved by the department. The department, in consultation with the prevailing wage advisory committee, must determine the length of the training. Bidders that have completed three or more public works projects and have had a valid business license in Washington for three or more years are exempt from this subsection. The department of labor and industries must keep records of entities that have satisfied the training requirement or are exempt and make the records available on its web site. Responsible parties may rely on the records made available by the department regarding satisfaction of the training requirement or exemption; and</i>	Satisfied
(1)(g)	<i>Within the three-year period immediately preceding the date of the bid solicitation, not have been determined by a final and binding citation and notice of assessment issued by the department of labor and industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW.</i>	No
(2)	<i>Before award of a public works contract, a bidder shall submit to the contracting agency a signed statement in accordance with chapter 5.50 RCW verifying under penalty of perjury that the bidder is in compliance with the responsible bidder criteria requirement of subsection (1)(g) of this section. A contracting agency may award a contract in reasonable reliance upon such a sworn statement.</i>	Submitted
(3)	<i>In addition to the bidder responsibility criteria in subsection (1) of this section, the state or municipality may adopt relevant supplemental criteria for determining bidder responsibility applicable to a particular project which the bidder must meet.</i>	N/A
(3)(a)	<i>Supplemental criteria for determining bidder responsibility, including the basis for evaluation and the deadline for appealing a determination that a bidder is not responsible, must be provided in the invitation to bid or bidding documents.</i>	N/A

Item	Description	Determination
(3)(b)	<i>In a timely manner before the bid submittal deadline, a potential bidder may request that the state or municipality modify the supplemental criteria. The state or municipality must evaluate the information submitted by the potential bidder and respond before the bid submittal deadline. If the evaluation results in a change of the criteria, the state or municipality must issue an addendum to the bidding documents identifying the new criteria.</i>	N/A
(3)(c)	<i>If the bidder fails to supply information requested concerning responsibility within the time and manner specified in the bid documents, the state or municipality may base its determination of responsibility upon any available information related to the supplemental criteria or may find the bidder not responsible.</i>	Submitted
(3)(d)	<i>If the state or municipality determines a bidder to be not responsible, the state or municipality must provide, in writing, the reasons for the determination. The bidder may appeal the determination within the time period specified in the bidding documents by presenting additional information to the state or municipality. The state or municipality must consider the additional information before issuing its final determination. If the final determination affirms that the bidder is not responsible, the state or municipality may not execute a contract with any other bidder until two business days after the bidder determined to be not responsible has received the final determination.</i>	N/A
(3)(e)	<i>If the bidder has a history of receiving monetary penalties for not achieving the apprentice utilization requirements pursuant to RCW 39.04.320, or is habitual in utilizing the good faith effort exception process, the bidder must submit an apprenticeship utilization plan within ten business days immediately following the notice to proceed date.</i>	N/A
(4)	<i>The capital projects advisory review board created in RCW 39.10.220 shall develop suggested guidelines to assist the state and municipalities in developing supplemental bidder responsibility criteria. The guidelines must be posted on the board's web site.</i>	N/A
A bidder may be deemed not responsible and the proposal rejected if:		Criteria Met (Per Below)
a.	<i>More than one proposal is submitted for the same project from a bidder under the same or different names;</i>	N/A
b.	<i>Evidence of collusion exists with any other bidder or potential bidder. Participants in collusion will be restricted from submitting further bids;</i>	No
c.	<i>The bidder, in the opinion of the Contracting Agency, is not qualified for the Work or to the full extent of the bid, or to the extent that the bid exceeds the authorized prequalification amount as may have been determined by a prequalification of the bidder;</i>	No
d.	<i>An unsatisfactory performance record exists based on past or current Contracting Agency Work or for Work done for others, as judged from the standpoint of conduct of the Work; workmanship; progress; affirmative action; equal employment opportunity practices; or Disadvantaged Enterprise, Minority Enterprise, or Women's Business Enterprise utilization;</i>	No
e.	<i>There is uncompleted Work (Contracting Agency or otherwise) which might hinder or prevent the prompt completion of the Work bid upon;</i>	No
f.	<i>The bidder failed to settle bills for labor or materials on past or current contracts;</i>	No
g.	<i>The bidder has failed to complete a written public contract or has been convicted of a crime arising from a previous public contract;</i>	No
h.	<i>The bidder is unable, financially or otherwise, to perform the Work;</i>	No
i.	<i>A bidder is not authorized to do business in the State of Washington (not registered in accordance with RCW 18.27);</i>	No
j.	<i>The Bidder owes delinquent taxes to the Washington State Department of Revenue without a payment plan approved by the Department of Revenue;</i>	0
k.	<i>The Bidder is currently debarred or suspended by the Federal government;</i>	No
l.	<i>There are any other reasons deemed proper by the Contracting Agency.</i>	No

Bidder Assessment

World Cup Legacy Square Phase 1

CAG-25-044

Bid Opening: May 06, 2025

REFERENCE CHECK FOR *ACTIVE CONSTRUCTION, INC.*

Client	City of Renton	City of Renton	City of Edgewood	City of Olympia
Project	Philip Arnold Park	Burnett South Sidewalk & Utilities Replacement	Edgewood Community Park	Yauger Park
Project Amount (rounded)	\$4,172,172	\$897,897	\$3,295,425	\$1,153,153
Year	2023	2024	2021	2023
Contact	Betsy Severtsen	Jonathan Chavez	Jeremy Metzler	Neal Glassburn
Location	City of Renton	City of Renton	City of Edgewood	City of Olympia
Type of Work	Utility Installation, Site work, picnic shelter, lighting, signate, concrete flatwork landscaping, irrigation and plantings.	Utility improvements, sidewalk replacement, roadway paving.	Clearing and Grubbing, picnic Shelter, restroom, play area, parking lot, storm drainage, sewer, illumination, landscaping, and wetland enhancement.	Ballfield Backstops, dugouts, structural concrete, concrete flatowrk, asphalt paving, and irrigation renovations.
Satisfied with their performance? (YES/NO)	Yes	Yes	Yes	Yes
Uncompleted work or unsettled bills? (YES/NO)	No	No	No	No
Other concerns? (YES/NO)	No	No	No	No
Date of Call	5/8/2025	5/8/2025	5/9/2025	5/8/2025

BID BOND VERIFICATION FOR ACTIVE CONSTRUCTION, INC.

Bond Company Name	Active Constuction, Inc.
Bond Company Contact	Barb with Liberty
Bid Amount	5 million to 150 million
Minimum Bond Amount Required	
Verification	Active Bond verified with Liberty Mutual on 5-9-2025, Verified with Propel Insurance on 5-12-2025