

STAFF REPORT
City of Lancaster

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Date: November 12, 2013

To: Mayor Parris and City Council Members

From: Robert C. Neal, Director of Public Works

Subject: **Award of Bid - Public Works Construction Project No. 13-026,
Thermally Enhanced Ductility and Densification (TEDD)**

Recommendation:

Award Public Works Construction Project No. 13-026, Thermally Enhanced Ductility and Densification (TEDD), to Advanced Facility Support of Wrightwood, California, in the amount of \$127,831.00, plus a 10% contingency. Authorize the City Manager, or his designee, to sign all documents.

Award contract on a sole source basis.

Fiscal Impact:

\$140,614.10 (including 10% contingency); with this action sufficient funds are available in Capital Improvements Budget Account Nos. 206-12ST028-924, 209-12ST028-924, 210-12ST028-924. There are no additional maintenance costs associated with this project.

Background:

Through the Public Works Department's consistent efforts to seek out sustainable pavement maintenance technology, we have developed a relationship with Ecostar Science and Technology. By doing so, we have discovered new pavement maintenance technology we believe will forever change the way asphalt roadways are maintained and repaired. The patented (or patent pending) technology and materials created by Ecostar rejuvenates existing deteriorated asphalt to an extent that it is superior to newly placed asphalt concrete at a fraction of the cost. By utilizing this highly sustainable process, we believe we will be able to significantly improve road way conditions over the next few years.

The process and materials referred to herein have been under development by scientists of the highest qualifications for over twenty years. Though the process has not been utilized on a commercial production basis to date, we have taken part in trials that have exhibited superior results and withstood the most destructive laboratory tests in the industry.

Ecostar Science and Technology is in the beta phase of commercial production machinery and equipment necessary to apply this technology and we believe that the City of Lancaster is the best place in the nation to put it to use. The intent of this project is to work hand in hand with Ecostar and their subsidiary contractor, Advanced Facility Support, to utilize the beta production units in real life scenarios. The project will utilize **Thermally Enhanced Ductility and Densification (TEDD)** technology to improve and rejuvenate the intersection of 20th Street West and Avenue I and a severely deteriorated alleyway at the northeast corner of Avenue I and 10th Street West.

The nature of the agreement will be such that the contractor, Advanced Facility Support, will be allowed to perform restorative measures to our roadways during the developmental process of their equipment and machinery. All work must meet strict performance criteria before any compensation will be released to the contractor and all aspects of the project will proceed per City Standards.

This contract is exempt from competitive bidding under the sole source doctrine. The sole source doctrine states that competitive bidding is not required where a product or service is unique, and, therefore, a competitive bidding process would fail to produce an advantage to the City. Hence, the Thermally Enhanced Ductility and Densification (TEDD) process to be used is unique and Advanced Utility Support is the only contractor capable of the process. Therefore, this contract meets the requirements of the sole source exemption to competitive bidding.

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Attachment:
Vicinity Map