



**GOVERNING BOARD AGENDA  
SPECIAL MEETING, GOVERNING BOARD  
PALOMAR COMMUNITY COLLEGE DISTRICT  
PRESIDENT'S CONFERENCE ROOM, LIBRARY  
COLLEGE CAMPUS  
SAN MARCOS, CALIFORNIA  
MONDAY, JULY 15, 2002  
5:30 P.M.**

**NOTICE TO PUBLIC:** In accordance with Board Procedure 12.10.1, members of the public who wish to address the Board on matters within its jurisdiction have a five-minute time limit per person. The Board may ask a group to select a spokesperson and may limit the number of speakers on a particular topic unless the proposed speakers are addressing different concerns.

**A. CALL MEETING TO ORDER**

**B. ROLL CALL**

Establishment of a Quorum

**C. CALL FOR REMOVAL OF ITEMS FROM OR CHANGES TO AGENDA**

**D. NEW BUSINESS**

**1. RECOMMENDATION: ACTION - RECEIVE BIDS FOR STUDENT UNION CONSTRUCTION. PHASE II. WAIVE A MINOR IRREGULARITY IN BIDDING. DECLARE THE LOWEST RESPONSIVE BIDDER. AND AWARD CONTRACT SUBJECT TO RECEIPT OF BONDING, INSURANCE, AND SATISFACTORY REFERENCE CHECKS**

The Governing Board receives the following bids on the Student Union Construction, Phase II Project (the "Project") opened on July 11, 2002, at 2:00 p.m.:

<b><u>BIDDER</u></b>	<b><u>BASE BID</u></b>
<b>Marcotte &amp; Hearne Bldrs., Inc., San Diego, CA</b>	<b>\$ 3,124,000.00</b>
<b>Swinerton Bldrs., San Diego, CA</b>	<b>\$ 3,230,000.00</b>
<b>Richard &amp; Richard Const., Oceanside, CA</b>	<b>\$ 3,316,000.00</b>

The bid of the apparent low bidder, Marcotte & Hearne Builders ("Marcotte"), contains a minor irregularity in the total bid price as stated in the words (Three Million) and directly under this entry on the next line of the bid form, the numbers (\$3,124,000.00). The Board hereby waives as a minor irregularity the difference and finds that the intent of Marcotte as stated on the face of the bid was to bid a total price of \$3,124,000.00.

The Board finds that it was notified by the owner of Marcotte within thirty (30) minutes of submitting its bid that this error in recording on its bid form had occurred and requested relief as a minor irregularity in the bidding where all bids were submitted to the District under great time pressure and were received within two (2) minutes of bid closing.

In considering and granting the waiver, the Board finds that to do so would not deprive the District of its assurance that the contract will be entered into, performed, and guaranteed accordingly to its specified requirements and that the waiver will not adversely affect competitive bidding by placing Marcotte in a position of advantage over other bidders since all other bids were higher than \$3,124,000.00.

Based on the foregoing, the Governing Board waives the minor irregularity in the bid, accepts the low, responsive bid of Marcotte & Hearne Builders, San Diego, in the amount of Three Million One Hundred and Twenty-Four Dollars & No Cents (\$3,124,000.00), and awards a contract to Marcotte & Hearne Builders in that amount, subject to receipt of required bonding, insurance certificates, and satisfactory reference checks. Funding for this Project is from a combination of sources including, in part, student fees approved by students for this Project.

**E. COMMENTS FROM OTHER INDIVIDUALS AND GROUPS**

1. **INFORMATION:** Comments from **Other** Individuals or Groups

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**F. ADJOURNMENT**