

**NOTICE OF SPECIAL “TELEPHONIC” BOARD MEETING  
OF THE STATE TRANSPORTATION BOARD  
11:00 a.m., Tuesday, June 2, 2009  
Arizona Department of Transportation - Executive Conference Room  
206 South 17<sup>th</sup> Avenue  
Phoenix, Arizona 85007**

EXECUTIVE SESSION OF THE STATE TRANSPORTATION BOARD

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Arizona State Transportation Board and to the general public that the Board may meet in Executive Session for discussion or consultation for legal advice with legal counsel at its meeting held 11:00 a.m. on Tuesday, June 2, 2009, relating to any items on the agenda. Pursuant to A.R.S. 38.431.03(A), the Board may, at its discretion, recess and reconvene the Executive Session as needed, relating to any items on the agenda. Members of the Transportation Board will attend either in person or by telephone conference call.

**Amendments to the State Transportation Board Agenda are as follows:**

**ADDITION TO AGENDA**

Members of the public may attend the meeting and hear the proceedings at 206 S. 17<sup>th</sup> Avenue, Phoenix, Arizona 85007, Executive Conference Room.

**ADDITION TO AGENDA**

|         |                 |                                      |
|---------|-----------------|--------------------------------------|
| ITEM 5: | BIDS OPENED:    | May 1                                |
|         | HIGHWAY:        | DOUGLAS – WILLCOX HIGHWAY ( US 191)  |
|         | SECTION:        | Sunsites at High Street              |
|         | COUNTY:         | Cochise                              |
|         | ROUTE NO.:      | US 191                               |
|         | PROJECT:        | ARRA-191-A(200)A 191 CH 048 H650901C |
|         | FUNDING:        | 100% Federal                         |
|         | LOW BIDDER:     | CKC Construction & Materials, LLC    |
|         | AMOUNT:         | \$ 336,511.16                        |
|         | STATE AMOUNT:   | \$ 389,123.00                        |
|         | \$ UNDER:       | \$ 52,611.84                         |
|         | % UNDER:        | 13.5%                                |
|         | NO. BIDDERS:    | 7                                    |
|         | RECOMMENDATION: | AWARD                                |

## COMMENTS:

At the bid opening, KE & G Construction, Inc. was read as the apparent low bidder with a bid of \$327,085.20. The second low bidder was CKC Construction & Materials, LLC with a bid of \$336,511.16.

The Department's review of KE&G's bid revealed a discrepancy between the unit price and the extended amount for Item 2020080 - Remove Bituminous Pavement (Milling) (1/2"). The extended amount as written in KE&G's bid \$9,779.20. The unit price submitted was \$160.00 per Square Yard, which when multiplied by 6,112 Square Yards results in an extended amount of \$977,920.00, and a bid total of \$1,295,226.00.

The Standard Specifications Subsection 102.10(A) states in case of a discrepancy between unit bid prices and the multiplications shown for each bid item, the unit price governs, and Subsection 102.10(C) states that that the Department will not correct the unit bid price even if the bidder shows there was a clerical error.

Applying Subsection 103.02, the bidder that was originally read as the second bidder, CKC Construction & Materials, LLC, is the lowest responsive and responsible bidder.

The State Engineer recommends that the Transportation Board award the contract to CKC Construction & Materials, LLC.

### **AMERICANS WITH DISABILITIES ACT**

Under the Americans with Disabilities Act, the Department must make a reasonable accommodation to allow a person with a disability to take part in a program, service or activity. For example, this means that if necessary, the Department must provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the Department will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs in advance if at all possible. Please contact the ADA Coordinator at (602) 712-7761.

Dated this 1st day of June, 2009.  
STATE TRANSPORTATION BOARD  
By: Mary Currie