mansonparks
AND RECREATION DISTRICT

# RESOLUTION NO. 2026-03

## A RESOLUTION REJECTING THE NONRESPONSIVE BID SUBMITTED BY HURST CONSTRUCTION, LLC, AND AWARDING THE OLD SWIM HOLE IMPROVEMENTS PROJECT TO PIPKIN CONSTRUCTION

**WHEREAS,** the District duly advertised and solicited sealed bids for the Old Swim Hole Improvements Project in accordance with applicable public works contracting requirements; and

**WHEREAS,** Hurst Construction, LLC submitted the apparent lowest bid; and

**WHEREAS,** Hurst Construction, LLC failed to acknowledge an issued addendum and did not submit its bid using the required bid form, as specified in the bidding documents; and

**WHEREAS,** the District has determined that these deficiencies render Hurst Construction, LLC's bid nonresponsive; and

**WHEREAS,** Pipkin Construction submitted the next-lowest responsive bid and has been determined to be a responsible bidder; and

**WHEREAS**, the District's project consultant reviewed the submitted bids and provided a written recommendation regarding bid responsiveness and contract award, attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED,** that the Manson Park & Recreation District Board of Commissioners hereby rejects the bid submitted by Hurst Construction, LLC as nonresponsive and awards the Old Swim Hole Improvements Project to Pipkin Construction in the amount of $1,879,516.10, not including applicable sales tax.

**BE IT FURTHER RESOLVED,** that the District Director is authorized to proceed with preparation and execution of the construction contract, subject to the terms and conditions of the bidding documents and applicable public works requirements.

**PASSED AND APPROVED** this 5th day of November 2026 by the Board of Commissioners of the Manson Park & Recreation District.

IVAN DE JESUS, CHAIRMAN, POSITION #2

KURT SIXEL, VICE-CHAIRMAN, POSITION #4

DAICY LEYVA, COMMISSIONER, POSITION #1

GARY WESTMORELAND, COMMISSIONER, POSITION #3

JESSE HOWARD, COMMISSIONER, POSITION #5

## EXHIBIT A

**Psomas recommendation: Reject Hurst's Bid and Award to Pipkin.**

The Bid Proposal submitted by Hurst Construction should be considered irregular. Hurst Construction did not acknowledge receipt of Addendum #3, nor did Hurst Construction use the revised Proposal Forms (Schedule of Prices) that were included in Addendum #3. The irregularity falls under the 'may' be rejected in the Special Provisions, see below, however, the revisions made with Addendum #3 are significant (materially different), as they revise the Bid from having an additive to having two schedules, including the issuance of new Proposal Forms (Schedule of Prices) and makes changes to issuance of Notice to Proceed and Order of Work.

By not acknowledging the addendum or using the revised proposal forms (BF-2, BF-3, and BF-4) the Contractor is communicating unawareness of the revisions included in Addendum #3. Also, the Contractor acknowledged receipt of addendum #2 but did not use the revised bid form (BF-4) provided with addendum #2 either.

A reminder to acknowledge receipt of addenda can be found in the Bidding Checklist.

Per the Project Special Provisions, Section1-02.13 Irregular Proposals:
2. A Proposal may be considered irregular and may be rejected if:

a. The Proposal does not include a unit price for every Bid item;

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;

c. The authorized Proposal Form furnished by the Contracting Agency is not used or is altered;

d. The completed Proposal form contains unauthorized additions, deletions, alternate Bids, or conditions;

e. Receipt of Addenda is not acknowledged;

f. 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

g. If Proposal form entries are not made in ink.

Per 1-02.6 of the WSDOT/APWA Standard Specifications, paragraph 3:
In the space provided on the signature sheet, the Bidder shall confirm that all Addenda have been received.