



COMMUNITY DEVELOPMENT AGENCY

TRANSPORTATION DIVISION

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July 25, 2016

Board of Supervisors
330 Fair Lane
Placerville, CA 95667

**Agenda Title: Blair Road at EID Canal – Bridge Replacement Project
Award of Bid, Legistar #16-0511**

Meeting Date: August 30, 2016

Dear Members of the Board:

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Blair Road at EID Canal – Bridge Replacement Project, Contract No. PW 15-31111, CIP No. 77119, P&C No. 145-C1699:

- 1) Find that the bid submitted by the lowest bidder Campbell Construction General Engineering is non-responsive due to the bidder's failure to submit a valid Bidder's Bond with their bid; and
- 2) Award the Construction Contract to Doug Veerkamp General Engineering, Inc, who submitted the second lowest bid and the lowest responsive, responsible bid of \$1,148,494.66; and
- 3) Approve and authorize the Chair to sign the Construction Contract, subject to final review and approval by County Counsel and Risk Management; and
- 4) Authorize the Community Development Agency Director to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds.

Funding

Highway Bridge Program (HPB) (100%). (Federal Funds)

The Blair Road at EID Canal – Bridge Replacement Project (Project) is budgeted in the Interim 2016 Capital Improvement Program (CIP), adopted by the Board on June 7, 2016 (Item No. 39). The Board authorized a construction phase budget increase on July 19, 2016 (Item No. 31) with a Direct Construction Costs budget of \$1,452,000.00 and a Construction/Engineering and Admin budget of \$198,000, for a total construction budget of \$1,650,000.

The estimated cost of the construction phase of the Project is \$1,435,618.33 which includes a bid of \$1,148,494.66; construction management, survey, materials testing and design support during construction totaling \$172,274.20; and contingency of \$114,849.47.

Department Recommendation

On August 11, 2016, the Community Development Agency (CDA), Transportation Division (Transportation) opened bids for the Project. Five bids were received ranging from \$1,083,689.00 to \$1,519,100.00.

Campbell Construction General Engineering submitted the lowest bid but failed to submit a valid Bidder's Bond with their bid. Because of this, Transportation recommends the Board find that the bid submitted by Campbell Construction General Engineering is non-responsive. Transportation also recommends awarding the contract to the second lowest bidder, Doug Veerkamp General Engineering, Inc. who submitted the lowest responsive, responsible bid.

Award and Sign Construction Contract with Lowest Responsive, Responsible Bidder:

The Disadvantaged Business Enterprise (DBE) goal for the Project is 8%. Campbell Construction General Engineering submitted its DBE information with its bid and showed it would meet the DBE goal. Doug Veerkamp General Engineering, Inc. (Veerkamp) submitted their DBE Commitment form on August 16, 2016. The DBE Commitment form shows that Veerkamp has committed to a DBE goal of 9.35%. Transportation has reviewed Veerkamp's DBE Commitment form submittal and finds that the firms listed are certified DBEs under the California Unified Certification Program and meet the criteria for a DBE; that Veerkamp provided sufficient written confirmation from each DBE firm that each is participating in the Contract; and that Veerkamp has committed to exceeding the Contract DBE goal.

Transportation issued the All Bidders Letter on Thursday, August 18, 2016, notifying bidders of the recommendation to the Board for award and initiating the five-day bid protest period. The bid protest period ended at 3:00 p.m. on Thursday, August 18, 2016 with no protests filed.

Veerkamp submitted the lowest responsive, responsible bid in the amount of \$1,148,494.66. Transportation recommends award of the Construction Contract to Veerkamp, who submitted the lowest responsive, responsible bid.

Authorize Community Development Agency Director to Sign Escrow Agreement:

Pursuant to Special Provisions Section 9-1.16F, "Retentions", of the Special Provisions, Transportation will retain five percent (5%) of the value of work done from each Contractor payment (excluding mobilization payments) as security for the fulfillment of the Contract. Alternatively, Public Contract Code (PCC) Section 22300 provides that the Contractor may request that payment of retentions earned be made directly to an Escrow Agent. The Contractor will receive the interest earned on the investment.

In accordance with these provisions, the Contractor may request in writing that the County make payment of retention funds directly into an escrow account, which would necessitate an Escrow Agreement. To help expedite this process, if requested by the Contractor, Transportation requests that the Board authorize the CDA Director to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the CDA Director, the Contractor will receive incremental releases from the Escrow Agent of retention paid into the account and any interest earned thereon. A portion of the retention and interest will be retained in the escrow account until thirty-five (35) days after the recordation of the Notice of Acceptance of the Contract. After this time, upon written notification from the Community Development Agency Director, these funds will be released to the Contractor.

Contract Change Orders (CCOs):

In any contract there is a need to be able to make changes and the CCO process facilitates the ability to make necessary changes when needed within a contract.

Contingency CCOs:

In construction contracts there is an expectation that unanticipated changes will be encountered once construction begins. To prepare for this, a 10% contingency budget is set aside. The budget for contingencies on this contract is \$114,849.47. PCC Section 20142 and Resolution 102-2012 authorize the Community Development Agency Director to execute individual CCOs, the maximum value of which is based on the original Contract amount with a not-to-exceed limit of \$69,224.73 for

this Contract. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original Contract value.

Discussion / Background

The Project consists of replacing the existing bridge with a culvert to convey any surface water in the EID canal, installation of ductile iron pipe for future EID use, and other ancillary work such as retaining wall and headwall construction, road reconstruction, etc.

An Initial Study/Mitigated Negative Declaration for the Project, in accordance with the California Environmental Quality Act, was adopted by the Board on July 15, 2014 (Item 18). A California Department of Transportation (Caltrans) National Environmental Policy Act Categorical Exemption/Categorical Exclusion Determination was issued on July 23, 2014.

Due to the nature of the work, no environmental permits are required for the Project. All required right-of-way has been acquired for the Project.

Transportation received federal funding authorization (E-76) for construction phase activities on June 23, 2016.

On July 19, 2016 (Item 31), the Board approved the Project for advertisement. With this approval, the Board also approved an increase to the Project's budget and authorized a pair of long-term closures of Blair Road adjacent the Project - one closure in Fall 2016 and another in Spring 2017.

As this is a federally funded Project, the Contract Documents incorporate the current Caltrans Disadvantaged Business Enterprise (DBE) requirements. The DBE goal is 8%.

Clerk of the Board Follow Up Actions

- 1) Upon approval by County Counsel and Risk Management, Transportation will forward the Construction Contract, together with the required bonds and insurance, and the approved Contract Routing Sheet to the Clerk for the Chair's signature.
- 2) The Clerk will forward the fully executed Construction Contract to Michele Weimer, Community Development Agency, Administration and Finance Division, Contracts and Procurement Unit, for further processing.

Sincerely,



Bard R. Lower
Transportation Division Director
Community Development Agency