



Legislation Details (With Text)

File #: 19-0449 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 3/13/2019 **In control:** Board of Supervisors

On agenda: 4/23/2019 **Final action:** 4/23/2019

Title: Chief Administrative Office, Facilities Division and Procurement and Contracts Division, and Health and Human Services Agency, recommending the Board consider the following:
1) Reject the Bid Protest submitted by Norwood Construction Services for Bid No 19-968-041; and
2) Award Bid No. 19-968-041 for the tenant improvements needed at 3368 Sandy Way, South Lake Tahoe to the lowest responsive and qualified bidder, Roebbelen Contracting, Inc.; and
3) Authorize the Chair to sign Public Works Contract No. 19-968-041, subject to review and approval by County Counsel and Risk Management; with Roebbelen Contracting, Inc. for \$1,064,000 and a term of 120 calendar days; and
4) Authorize the Purchasing Agent to sign an Escrow Agreement, if requested by any Contractor and in accordance with Pubic Contract Code Section 22300, for the purpose of holding Contract retention funds. (Est. Time: 10 Min.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Intent to Awarded Letter Bid No. 19-968-041, 2. B - Norwood Letter-Protest, 3. C - Bid Protest Response, 4. Executed Agreement # 19-968-041

Date	Ver.	Action By	Action	Result
4/23/2019	1	Board of Supervisors	Approved	Pass

Chief Administrative Office, Facilities Division and Procurement and Contracts Division, and Health and Human Services Agency, recommending the Board consider the following:

- 1) Reject the Bid Protest submitted by Norwood Construction Services for Bid No 19-968-041; and
- 2) Award Bid No. 19-968-041 for the tenant improvements needed at 3368 Sandy Way, South Lake Tahoe to the lowest responsive and qualified bidder, Roebbelen Contracting, Inc.; and
- 3) Authorize the Chair to sign Public Works Contract No. 19-968-041, subject to review and approval by County Counsel and Risk Management; with Roebbelen Contracting, Inc. for \$1,064,000 and a term of 120 calendar days; and
- 4) Authorize the Purchasing Agent to sign an Escrow Agreement, if requested by any Contractor and in accordance with Pubic Contract Code Section 22300, for the purpose of holding Contract retention funds. (Est. Time: 10 Min.)

DISCUSSION / BACKGROUND

On January 29th, 2019, the Board adopted the plans and specifications and authorized the Chair to sign request for construction bid documents No. 19-968-041. The purpose of the bid was to secure construction services to provide a tenant improvement for the County's building located on 3368 Sandy Way, South Lake Tahoe.

Five bids were received and Roebbelen Contracting, Inc. was the lowest responsive and qualified bidder. Two bids were rejected for failure to submit a complete bid packet in accordance with the Instructions to Bidders and were deemed "non-responsive." A bid protest was received on April 4, 2019 from Norwood Construction Services (Attachment B). Norwood Construction Services was one

of the Bidders deemed non-responsive due to the fact that they did not return the entire package provided at the Mandatory Pre-Bid meeting to ensure that all of the requirements were received and understood by the bidders. When requirements are not understood by bidders, the County is at risk for future change orders. Therefore, based on the size of the contract, the nature of the work, and the importance of following specific instructions, the Division stands by the award determination to Roebbelen Contracting, Inc. Procurement and Contracts, in conjunction with County Counsel, issued a response to the protest on April 11, 2019 (Attachment C).

The awarded contract amount is \$1,064,000 with a term of 120 calendar days. Upon approval by County Counsel and Risk Management, the Division will forward two (2) originals of the Construction Contract, with the required bonds and the approved Contract Routing Sheet, to the Clerk for securing the Chair's signature and will issue the notice to proceed shortly thereafter.

ALTERNATIVES

Tenant improvements at the Sandy Way Building are a required element of this overall project. Should the Board not approve this item the project will be delayed and the facility will not be available for staff use.

PRIOR BOARD ACTION

January 29, 2019; Item No. 4; Legistar File 18-1912; approved and authorized Request for Construction Bid No. 19-968-041

August 28, 2018; Item No. 5; Legistar File 18-1063; authorized the Purchasing Agent to sign Agreement for Services 3218 with Architectural Nexus, Inc., for a not-to-exceed amount of \$496,450 and a term of three years to provide Design Criteria Consultant Services as related to the Health and Human Services Agency's South Lake Tahoe El Dorado Center Campus Project.

May 22, 2018; Item No. 6; Legistar File 18-0764; the Board found that the proposed property acquisition of 3368 Sandy Way in South Lake Tahoe is categorically exempt from review pursuant to California Environmental Quality Act (CEQA) Guideline section 15301(a) and directed staff to determine that the contingencies are satisfied and authorized the close of escrow to occur.

March 13, 2018; Item No. 18; Legistar File 18-0338; approved and authorized Purchase and Sale Agreement and Joint Escrow Instructions 201-O1811/2610 with owners of 3368 Sandy Way, South Lake Tahoe

February 6, 2018; Item No. 26; Legistar File 18-0236; Closed Session Conference with Real Property Negotiator

OTHER DEPARTMENT / AGENCY INVOLVEMENT

HHSA

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

This project is included in the Fiscal Year 2018-19 Accumulative Capital Outlay Fund and will be charged back to HHSA. The Health and Human Services Agency has set aside \$5 million in a reserve fund for the South Lake Tahoe Campus Project. \$2,500,000 is budgeted to be utilized in

Fiscal Year 2018-19 to refurbish the building on Sandy Way, as well as to begin renovations on the El Dorado Center. HHSA has included use of Public Health fund balance, from prior years' un-spent Realignment funding, to finance the Sandy Way building project. There is no general fund impact and no change to Net County Cost.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Upon approval by County Counsel and Risk Management, the Division will forward two (2) originals of the Construction Contract, with the required bonds and the approved Contract Routing Sheet, to the Clerk for securing the Chair's signature.
- 2) Clerk will forward one (1) fully executed Construction Contract to the Facilities Division for further processing

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Russ Fackrell
Facilities Division Manager

Michele Weimer
Procurement and Contracts Manager / Purchasing Agent