



Legislation Text

File #: 24-0698, **Version:** 1

Department of Transportation recommending the Board:

- 1) Approve and authorize the Chair to sign the First Amendment to the competitively-bid Agreement for Services 6634 with American Pavement Systems, Inc., increasing the amount by \$5,500,000 for a new total of \$17,500,000, with no changes to the term for a period of August 1, 2022 through July 31, 2025; and
- 2) Authorize the Purchasing Agent to increase the contract amount and sign any additional amendments to the agreement for on-call surface treatment services on an "as-needed" basis during the term of the agreement as long as funding is available within Transportation's budget.

FUNDING: Local Discretionary - Tribe (5%), Road Fund (5%) and Road Maintenance and Rehabilitation Act of 2017 (SB1) (90%).

DISCUSSION / BACKGROUND

Department of Transportation (Transportation) previously completed the Request for Qualifications (RFQ) process in 2022 and awarded Agreements to the top three contractors. All three (3) current contracts are set to expire July 2025. The current Agreements cover three (3) types of surface treatments: Rubber Modified Asphalt Chip Seal, Type II/Type III Emulsified Asphalt Slurry Seal, also known as Micro Seal, and a Type II/Latex Modified Slurry Seal.

With Senate Bill 1, Road Maintenance and Rehabilitation Account (SB1-RMRA), local governmental agencies within California are requesting contractors for road maintenance related services including surface treatments. The three (3) Agreements are considered on-call, allowing Transportation to request proposals from the contractors for each surface treatment project as needed. Proposals from all three contractors will ensure Transportation:

- 1) Obtains the best price for the surface treatment requested; and/or
- 2) Secures the company with the resources available to complete the requested treatment work within the needed time frame.

Transportation's Request for Proposal #3 closed on March 25, 2024. The lowest responsive bidder of the three (3) contractors was American Pavement Systems (APS). The current contract with APS needs to be increased by \$5,500,000.00 to ensure there are enough funds on the agreement for the upcoming surface treatment work during the summer of 2024. The projects are anticipated to begin after July 1, 2024.

ALTERNATIVES

The Board could choose not to approve the First Amendment to Agreement #6634; however, countywide surface treatments for the Summer of 2024 would be placed on hold. Transportation staff would consider the Board's recommendations and return at a later date for approval.

PRIOR BOARD ACTION

#22-0916 July 26, 2022

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel, Risk Management, Human Resources, and Contracts and Procurement

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

Funding for the projects has been included in Transportation's Fiscal Year 2024-25 budget and will be funded by the Road Fund, Local Discretionary Funds (Tribe), and SB1 Funds. Funding for work in future fiscal years will be included in Transportation's annual budget proposals.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) originals of the First Amendment to Agreement #6634 for American Pavement Systems, Inc.
- 2) The Clerk of the Board will return one (1) signed original of the First Amendment to Agreement #6634 to the Chief Administrative Office, Procurement and Contracts Division, for further processing.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

Rafael Martinez, Director
Department of Transportation