



Board Agenda Item 52

DATE: March 19, 2024

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Award Contract 23-04-C Fowler Ave and Olive Ave Intersection Improvements

RECOMMENDED ACTION(S):

Adopt plans and specifications for Contract 23-04-C Fowler Avenue and Olive Avenue Intersection Improvements, Federal Project No. CML-5942(293) and award to the lowest bidder Avison Construction, Inc., 40434 Brickyard Dr., Madera, CA, in the total amount of \$2,529,711.

Approval of the recommended action will authorize the award of a federally funded traffic signal project at the intersection of Fowler Avenue and Olive Avenue. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the project will be delayed or will not be constructed.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The maximum anticipated construction cost for the project, based on the low bid and Director's allowance for change orders of \$138,986, is \$2,668,697. The Congestion Mitigation & Air Quality Improvement Program CMAQ will provide up to \$2,091,298 for contract construction, with the local match of \$438,413 paid out of the County's SB-1 and Measure "C" Allocations. Through an Agreement that is also before your Board today, Fresno Municipal Flood Control (FMFCD) will pay for the cost of the relocation of their facilities that will cost \$67,850 according to the lowest bid. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - 4510 FY 2023-24 Adopted Budget.

DISCUSSION:

The intersection of Fowler Avenue and Olive Avenue is currently controlled by stop signs on all four approaches, which creates severe congestion and long queues. The purpose of the project is to improve air quality and increase safety and will also result in reduced travel times.

The work to be done consists, in general, of installing a new traffic signal, reconstructing the pavement, and widening the intersection. Two new drain inlets with storm drainpipe are included as part of the work.

A bid opening was held on February 8, 2024. Eight bids were received. The low bid of \$2,529,711.00, from Avison Construction, Inc. was \$27,332 or 1.07% lower than the engineer's estimate of \$2,557,043. A list of bidders, their respective bid amounts, and their Disadvantaged Business Enterprise (DBE) Commitments is shown below. As a federally funded project, there was a DBE goal of 22 percent.

<u>Bidder</u>	<u>Bid Amount</u>	<u>DBE Commitment</u>
Avison Construction, Inc.	\$2,529,711.00	11%
Agee Construction Corporation	\$2,532,659.00	39.31% (Prime DBE)
Terra West Construction Incorporated	\$2,552,841.00	55% (Prime DBE)
Cal Valley Construction, Inc.	\$2,570,066.62	22.70%
RJ Berry Jr. Inc	\$2,795,401.50	None submitted
Granite Construction Company	\$2,963,855.00	None submitted
American Paving Co.	\$2,994,801.60	None submitted
Kroeker, Inc.	Non-Responsive	None submitted

Although the apparent low bidder did not reach the DBE goal, a Good Faith Effort was provided showing extensive outreach to DBE subcontractors through advertisements, e-mails, faxes, and follow-up phone calls. Staff has completed an analysis of the Good Faith Efforts and considers it to be compliant with Caltrans' guidelines for soliciting DBE subcontractors in a timely and thorough manner.

The bid item list from the bidder, Kroeker, Inc., was not received by staff at the time of the bid opening. It appeared the bid item list was not included in the hardcopy bid packet that was handed in to the Public Works Department. As a result, they are non-responsive.

Plans and Specifications were prepared by Department staff and are on file with the Department. It is anticipated that construction will commence in Summer 2024 and will be completed in 2025.

California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA)

Department staff has determined that the Fowler Avenue and Olive Avenue Intersection Improvement project (Project) is categorically exempt from the provisions of CEQA under Section 15301(c) - Existing Facilities. In May 2022, the California Department of Transportation (CalTrans) acting as the Federal lead agency determined the Project would not have a significant effect on the environment as defined by NEPA, per 23 CFR 771.117(c) (8).

OTHER REVIEWING AGENCIES:

Caltrans provides oversight where Federal Highway funds are allocated. The City of Fresno provided the traffic signal plans and because the signal is located within their sphere of influence, they have agreed to operate and maintain it. The City of Fresno will also relocate their utilities to eliminate the current conflicts. FMFCD and the County are in the process of executing an agreement for the construction of the drainage improvements, and there is a concurrent item before your Board today.

REFERENCE MATERIAL:

BAI #48, March 19, 2024

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map

CAO ANALYST:

Salvador Espino