



# Board Agenda Item 45

DATE: March 7, 2017

TO: Board of Supervisors

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

SUBJECT: Award Contract No. 16-20-C Fruit Avenue and Barstow Avenue Left Turn Phasing,  
Highway Safety Improvement Project No. HSIPL-5942(242)

## RECOMMENDED ACTION(S):

- 1. Award Contract No. 16-20-C, Fruit Avenue and Barstow Avenue Left Turn Phasing Project No. HSIPL-5942(242), to the bidder with the lowest responsive bid, American Paving Company, 315 N. Thorne Avenue, Fresno, CA, in the amount of \$462,592.**
- 2. Authorize the Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$35,630, which is approximately 7.70% of the total contract construction cost, the limit allowable under Public Contract Code 20395(d) for Contract 16-20-C.**

The first recommended action will authorize the award of a Federally funded Highway Safety Improvement Program (HSIP) project. The second recommended action will allow the Director or his designee to execute change orders up to the statutory limit.

## ALTERNATIVE ACTION(S):

If the first recommended action is not approved, it will result in cancellation of the project and de-obligation of the allocated Federal funding. Any funds received by the County for this project to date would require reimbursement to the Federal Highway Administration from the Road Fund. If the second recommended action is not approved, the Director or his designee's authority to approve Contract Change Orders will be limited to \$27,126.

## FISCAL IMPACT:

There will be no Net County Cost associated with the recommended actions. The anticipated construction cost of the project, based in the low bid and including an allowance for contingencies, is \$498,222. The project is funded through the HSIP which will provide 90% of the funding for contract construction. Sufficient appropriations for the County's local match are included in the Public Works and Planning - Roads Org 4510 FY 2016-17 Adopted Budget.

## DISCUSSION:

The purpose of the HSIP is to achieve a significant reduction in fatalities and serious injuries on all public roads. The work to be done, in general, consists of installing new traffic signal pole foundations and signal poles on each side of the intersection of Fruit and Barstow Avenues, installing a new controller cabinet and meter pedestal, modification of crosswalk and road striping, and installing Americans with Disabilities Act compliant curb ramps at all four corners.

For road projects, Public Contract Code (PCC) Section 20395(d) limits the extent to which the Director may be authorized to execute Contract Change Orders to 10% of the first \$250,000, plus 5% of the contract amount in excess of \$250,000, up to a maximum authorization of \$210,000. For this project, this amounts to \$25,000, plus 5% of \$212,592 for a total authorization of \$35,630. However, the Board's policy, last updated in 1991, limits the Director's authority to the amount of 10% of the first \$250,000, plus 1% of the contract amount in excess of \$250,000, up to a maximum authorization of \$100,000. For this project, this amounts to \$25,000, plus 1% of \$212,592 for a total authorization of \$27,126. The Board's authorization for the Director to approve Contract Change Orders up to the PCC limit would prevent the Department from returning to the Board to approve change orders in excess of the Board's policy limit. This will reduce the time required to process changes, reduce paperwork, help keep cost down, and reduce potential claims for additional cost and time due to administrative delays. This Contract Change Order authorization would not apply to, nor allow changes to the scope of the work.

The Department received four bids for this project on February 2, 2017. The lowest responsive bid was \$462,592, which is \$9,832, or 2.08% lower than the engineer's estimate of \$472,424.

The bidders and their respective bid amounts and DBE Commitments are shown below:

| <u>Bidder</u>                     | <u>Bid</u>   | <u>DBE (Goal 10%)</u>  |
|-----------------------------------|--------------|------------------------|
| American Paving Company           | \$462,592.00 | 49.19%                 |
| Madco Electric, Inc.              | \$465,864.00 | 22.15%                 |
| Dawson-Mauldin Construction, Inc. | \$480,723.91 | 97.5%                  |
| Avison-Construction, Inc.         | \$491,452.00 | Submittal Not Required |

Plans and specifications were prepared by the Department's consultant, Peters Engineering Group. It is anticipated that construction for the project will begin in April 2017 and be completed in August 2017. The length of the construction period is due to the long lead time in equipment delivery.

OTHER REVIEWING AGENCIES:

Caltrans provides oversight on projects where Federal funds are allocated.

REFERENCE MATERIAL:

BAI #45, November 15, 2016  
BAI #77, July 15, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map

CAO ANALYST:

John Hays