



Board Agenda Item 10

DATE: August 20, 2024

TO: Board of Supervisors

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

SUBJECT: Award Contract 24-07-C East Reedley Bridge Replacements

RECOMMENDED ACTION(S):

Adopt plans and specifications for Contract 24-07-C East Reedley Bridge Replacements, Federal Project Nos. BRLO-5942(239) (Reedley Main Canal Bridge on Englehart Avenue), BRLO-5942(226) (Travers Creek Bridge on Lincoln Avenue), and BRLO-5942(227) (Travers Creek Bridge on Parlier Avenue), receive verbal report, and award such Contract to the lowest bidder, Cal Valley Construction, Inc., 5125 N Gates Avenue #102, Fresno, CA 93722, in the amount of \$3,518,357 provided that the California Department of Transportation (Caltrans) submits its memorandum to the Board determining whether Cal Valley Construction, Inc. made a sufficient Good Faith Effort (GFE) with respect to the Disadvantaged Business Enterprise (DBE) Program and the Department of Public Works and Planning (PWP) determines that Cal Valley Construction, Inc. has made a sufficient GFE and is a responsible responsive bidder; and if PWP determines that Cal Valley Construction, Inc. has not made a sufficient GFE and is not a responsible responsive bidder, then award the contract to the next apparent lowest bidder, American Paving Company, 525 W. Alluvial Avenue, Fresno, CA 93711 in the amount of \$5,144,780 provided that California Department of Transportation (Caltrans) submits its memorandum to the Board determining whether American Paving Company made a sufficient GFE with respect to the DBE Program and PWP determines that Cal Valley Construction, Inc. has made a sufficient GFE and is a responsible responsive bidder.

The three bridges were bid under an anticipated single construction contract, with an engineer's total estimate of \$4,605,639. The project was advertised on June 11, 2024, and a bid opening was held on July 11, 2024. Four bids were received. Cal Valley Construction, Inc. is the apparent lowest bidder, and American Paving Company is the next apparent lowest bidder. As a Federally funded project, there is a Disadvantaged Business Enterprise (DBE) goal of 22%. Both Cal Valley Construction, Inc. and American Paving company did not meet the DBE contract goal, but each provided GFE documentation, which the Department submitted to Caltrans on July 18, 2024, for a determination as to whether the GFE of Cal Valley Construction, Inc., and American Paving Company were sufficient.

As of the date that this item was submitted to your Board, the Department is awaiting the Caltrans determinations as to both bidders Your Board may not award a contract to Cal Valley Construction, Inc., without first receiving a memorandum from Caltrans with a determination of whether Cal Valley Construction, Inc. made the required GFE. The Caltrans GFE determination is a necessary step for the Department to determine whether Cal Valley Construction, Inc. has made a sufficient GFE and is a responsive responsible bidder.

Approval of the recommended action will authorize the award of a Federally funded Highway Bridge Program (HBP) project to replace three bridges. This item pertains to locations in District 4.

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. Assuming that the contract is awarded to Cal Valley Construction, Inc., the anticipated construction cost of the project, including the Director's allowance for change orders of \$210,000, is \$3,728,357.

This project is 100% Federally funded through the Highway Bridge Program. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Road Fund Org 4510 FY 2024-25 Recommended Budget for either such bidder's bid, including the Director's allowance for contingencies, respectively.

DISCUSSION:

The work to be done consists, in general, of removing and replacing three structurally deficient bridges:

- The Reedley Main Canal Bridge on Englehart Avenue, 0.04 miles north of American Avenue;
- The Travers Creek Bridge on Lincoln Avenue, 0.55 miles east of Alta Avenue; and
- The Travers Creek Bridge on Parlier Avenue, 0.52 miles west of Alta Avenue.

The Reedley Main Canal Bridge on Englehart Avenue is a two-span concrete slab bridge built in 1936, with a current width of 22 feet and length of 29 feet and will be replaced with a two-span concrete box culvert bridge with a width of 35 feet and a length of 37 feet.

The Travers Creek Bridge on Lincoln Avenue is a single span wooden bridge with a concrete deck built in 1940 and widened in 1970, with a current width of 25 feet and length of 21 feet and will be replaced with a bottomless concrete box culvert with a concrete foundation with a width of 63 feet and a length of 24 feet.

The Travers Creek Bridge on Parlier Avenue is a two-span concrete slab bridge built in 1925, with a current width of 25 feet and length of 29 feet and will be replaced with a two-span concrete box culvert bridge with a width of 49 feet and a length of 29 feet.

The work will include the installation of concrete bridge barriers, reconstructing the bridge approaches and adding shoulders, overlaying existing pavement, and constructing driveways. Crash cushions will be installed at the Reedley Main Canal Bridge on Englehart Avenue and Travers Creek Bridge on Parlier Avenue locations. Additionally, rock slope protection will be installed at the two Travers Creek bridge locations. Full street closure will be required for the construction of each of the three bridges, and detours will be provided to reroute traffic around the construction areas.

For two of the proposed bridge replacements, Reedley Main Canal Bridge on Englehart Avenue, and Travers Creek Bridge on Parlier Avenue, some components will be sole sourced. The component to be sole sourced is: Universal Tau-M Crash Cushions. The authorization for the sole source component was made by your Board on January 26, 2021.

The three bridges were bid under an anticipated single construction contract, with an engineer's total estimate of \$4,605,639. The project was advertised on June 11, 2024, and a bid opening was held on July 11, 2024. Four bids were received. A list of bidders and their respective bid amounts is shown below. Detailed bid summary is attached as Exhibit A. As a Federally funded project, there was a Disadvantaged Business Enterprise (DBE) goal of 22%.

<u>Bidder</u>	<u>Bid Amount</u>	<u>DBE Commitment (Goal: 22%)</u>
Cal Valley Construction, Inc.	\$3,518,357	10.03%
American Paving Company	\$5,144,780	12.27%
MCM Construction, Inc.	\$5,687,556	21.99%
Viking Construction, Inc.	\$6,267,213	7.814%

Cal Valley Construction, Inc. and American Paving Company failed to reach the DBE goal, but each provided a Good Faith Effort (GFE) documentation, which are attached as Exhibits B and C, respectively. Under current Caltrans Local Assistance Procedures, for construction contracts greater than \$2,000,000, if the Call Valley Construction, Inc. does not meet or exceed the DBE contract goal, the Department must submit the GFE documentation to Caltrans for review.

Given the amount of the construction contract and because Cal Valley Construction, Inc. and American Paving Company did not meet the DBE contract goal, the Department submitted the GFE documentation of all bidders to Caltrans on July 18, 2024 and provided additional information on July 24, 2024. Even though the Department reviewed the GFE of both bidders and were found adequate, the Department, as of the date that this item was submitted to your Board, is awaiting the results of Caltrans' review. The Caltrans GFE determination is a necessary step for the Department to conclude whether Cal Valley Construction, Inc. is a responsive responsible bidder.

Your Board may not award a contract to Cal Valley Construction, Inc., without first receiving a memorandum from Caltrans with a determination of whether Cal Valley Construction, Inc. made the required GFE. If the Caltrans memorandum is received in sufficient time and states that Cal Valley Construction has made a sufficient GFE, then your Board may award the contract to Cal Valley Construction. Notably, if the Caltrans memorandum is not received before the August 20, 2024, Board meeting, the Board Agenda Item will be continued to the September 10, 2024 Board meeting.

If the Caltrans memorandum is received in sufficient time (as determined by the Director) before the August 20, 2024, Board of Supervisors Meeting and Caltrans determines the GFE was inadequate, the Department must take Caltrans' feedback into consideration and reevaluate the GFE prior to the August 20, 2024, Board meeting. After the reevaluation, if the Department determines the GFE is adequate, the Department will report to your Board with an appropriate supplement to the Board Agenda Item and your Board may award the contract to Cal Valley Construction, Inc., at the August 20, 2024 Board meeting. If the Department concludes that the GFE is inadequate, it must invite Cal Valley Construction, Inc. to an administrative appeal to be heard at the September 10, 2024, Board Meeting.

Depending on the outcome of the appeal, your Board may award the contract to Cal Valley Construction, Inc. If your Board affirms the Department's conclusion that Cal Valley Construction, Inc. has not made a sufficient GFE and is not a responsible responsive bidder, it may then award the contract to American Paving Company provided that Caltrans submits its memorandum to the Board determining whether American Paving Company made a sufficient GFE with respect to the DBE Program and the Department of Public Works and Planning determines that Cal Valley Construction, Inc. has made a sufficient GFE and is a responsible responsive bidder.

This item is before your Board because of the need to move as expeditiously as possible and award the contract to the lowest responsive responsible bidder so that construction may begin in September 2024, thereby avoiding potential weather issues in the fall and winter.

In conformance with the provisions of the California Environmental Quality Act (CEQA), Mitigated Negative Declarations were adopted by the Board for the Travers Creek on Lincoln Bridge on August 25, 2015; for the Travers Creek on Parlier Bridge on March 12, 2019, and for the Reedley Main Canal Project on December 15, 2020. Pursuant to the CEQA Guidelines (Cal. Code Regs. Tit. 14, § 15162) Subsequent Mitigated Negative Declarations are not required because there are no substantial changes to the projects or project circumstances and no new information has become available.

Because the project is 100% Federally funded through the Highway Bridge Program, Caltrans, acting as the Federal lead agency, determined the projects would not have a significant effect on the environment as defined by National Environmental Policy Act (NEPA), per 23 CFR 771.117(c)(28). Categorical Exemptions to NEPA were issued for the Reedley Main Canal Bridge and Travers Creek on Lincoln Bridge in 2015, and the Travers Creek on Parlier Bridge in 2017. The project scopes changed slightly

over the years and additional studies were conducted. NEPA Revalidations were issued by Caltrans for all three bridges in 2024.

The bridges were designed by the Department's consultant, Cornerstone Engineering, and Plans and Specifications are on file with the Department. If the award is made, it is anticipated that construction will commence in September 2024; however, the start date may vary slightly at each location. Substantial construction is anticipated be completed in spring 2025, followed by additional erosion control measures on the Travers Creek Bridges on Lincoln Avenue and Parlier Avenue, to be completed by Spring 2026.

OTHER REVIEWING AGENCIES:

Caltrans provides oversight where Federal funds are allocated.

REFERENCE MATERIAL:

BAI #30, January 26, 2021
BAI #73, December 15, 2020
BAI #45, March 12, 2019
BAI #36, August 25, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Maps
Attachment A - Bid Summary
Attachment B - Cal Valley Good Faith Effort Documentation
Attachment C - American Paving Good Faith Effort Documentation

CAO ANALYST:

Salvador Espino