



Board Agenda Item 62

DATE: August 5, 2025

TO: Board of Supervisors

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

SUBJECT: Authorize Sole Sourced Components and Reject Bids for Contract 24-S-15 Main Jail Accessibility Upgrades

RECOMMENDED ACTION(S):

- 1. Make a determination, in accordance with Administrative Policy No. 34 that unusual or extraordinary circumstances exist in the procurement of goods or supplies, to allow sole source procurement of specific components for the project; and**
- 2. Reject all bids for Contract 24-S-15 Main Jail Accessibility Upgrades and direct the Department of Public Works and Planning to readvertise the project.**

Approval of the first recommended action will authorize the sole source procurement of specific components. Approval of the second recommended action would reject all bids received, as clarifying revisions are required to the plans and project manual. Although this item pertains to a location in District 3, the item is countywide.

ALTERNATIVE ACTION(S):

If the first recommended action is not approved, the County of Fresno Main Detention Facility would need to procure specific components each time a nonstandard fixture is damaged, which would significantly impact daily operations. There are no alternatives to the second recommended action.

SOLE SOURCE CONTRACT:

The Department's request to waive the competitive bidding process is consistent with Administrative Policy No. 34, that "unusual or extraordinary circumstances" exist that allow sole source procurement of goods or supplies, as the components listed below are necessary.

The specific components are listed as follows:

- Acorn Secur-Care - Ligature Resistant LR1449 Combination Fixture
- Trussbilt Detention Security Door and Frame

The County of Fresno Main Detention Facility contains detention pods equipped and actively using these exact bathroom fixtures, security doors and frames, and these items are specified by make and model in the construction plans. In the event these items are damaged, replacement is crucial for the County of Fresno Main Detention Facility to continue daily operations, and it is impractical for the County of Fresno Main Detention Facility to keep bulk replacement parts for multiple fixture models, security doors and

frames due to limited storage capacity.

The County's General Services Department, Purchasing Services Division, has reviewed and concurs with the Department's request to waive the competitive bidding process. Specific model information is included on the two E-PD-047 -- Sole Source Acquisition Request forms, attached to this agenda item.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. This project is funded through the Jail Improvements Capital Projects Fund, which contains funds for necessary jail facility Americans with Disabilities Act (ADA) compliant improvements. Sufficient appropriations and estimated revenues are included in the Capital Projects - Jail Improvements Org 8852 FY 2025-26 Recommended Budget and will be included in the FY 2026-27 Proposed Budget.

DISCUSSION:

The County of Fresno Main Detention Facility, located at 1225 M Street, Fresno, CA 93721, was built in 1983 and is one of three detention facilities the Fresno County Sheriff's Office is responsible for operating. The Main Detention Facility houses numerous incarcerated persons, and the Main Detention Facility requires ADA accessibility improvements that are compliant with the current adopted California Building Codes.

The work to be done consists, in general, of accessibility alterations to the existing Housing Cells and Day Room showers on the 3rd, 4th, 5th, and 6th floor which will result in Pods A, B, E, and F each having one alternate roll-in type accessible shower compartment in the Day Room and one accessible Housing Cell.

The project was advertised on April 28, 2025, and a bid opening was held on May 29, 2025. Five bids were received. The low bid of \$4,584,000, from BMY Construction Group, Inc., was \$4,116,000 or 47.31% lower than the architect's estimate of approximately \$8,700,000. A list of bidders and their respective bid amounts is shown below:

<u>Bidder</u>	<u>Bid Amount</u>
BMY Construction Group, Inc.	\$4,584,000
Bowe Contractors Inc.	\$5,007,154
Katch Environmental, Inc. dba Katch General	\$6,038,000
Better Enterprises, Inc.	\$6,995,543
Davis Moreno Construction, Inc.	\$7,924,720

Subsequent to the bid opening, a question was received from the second low bidder regarding substitutions as noted in the plans and in the General Provisions of the project manual. A paint product often used in correctional facilities was named in the project plans as "Prime Coat - or equal." That specific manufacturer only allows their employees to install the product. Due to the cost of installation exceeding one half of one percent of the bids, as required by the public contract code, the manufacturer would need to be listed as a subcontractor on the bid submittals. Alternatively, the project manual directed that a material substitution request be submitted ten days before the bid opening. However, these requirements were not well understood by bidders, as only two of the five bidders listed Prime Coat, and none submitted substitution requests. This conflicting understanding of the bid requirements resulted in material differences in the bids, and staff believe that rejecting all bids and rebidding the project, with all requirements clarified, is the fairest way to proceed. Upon holding a second bid opening, tentatively scheduled for September 4, 2025, the Department will return to your Board with the results and a recommendation for award.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map

Sole Source Acquisition Request Form - Door Frame
Sole Source Acquisition Request Form - Fixture
Bid Summary

CAO ANALYST:

Maria Valencia