



Board Agenda Item 9

DATE: September 11, 2018

TO: Board of Supervisors

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

SUBJECT: Award Contract No. 18-09-C, Federal Asphalt Concrete Overlay on Nees Avenue,
Federal Project No. STPL-5942(292)

RECOMMENDED ACTION(S):

- 1. Adopt plans and specifications for Contract No. 18-09-C, Federal Asphalt Concrete Overlay on Nees Avenue from Millux Alignment to Russell Avenue, Federal Project No. STPL-5942(292), receive verbal report on the bid opening, and award to the bidder with the lowest responsive bid; and**
- 2. Authorize the Director of the Department of Public Works and Planning, or designee, to execute Contract Change Orders up to the limit allowable under California Public Contract Code, Section 20395(d) for Contract No. 18-09-C.**

Approval of the first recommended action will authorize the award of a Federally-funded Regional Surface Transportation Program (RSTP) project. The second recommended action will allow the Director of the Department of Public Works and Planning, or designee, to execute Contract Change Orders up to the statutory limit. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

If the first recommended action is not approved, the project will be delayed. If the second recommended action is not approved, the Director's authority to approve Contract Change Orders will be limited to a lesser amount than allowed under the California Public Contract Code (PCC).

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The contract construction cost is estimated to range between \$996,000 and \$1,101,000. The project is eligible for 100% reimbursement under the RSTP along with toll credits, which are allocated to local agencies by the California Department of Transportation to be used in lieu of matching funds the agency would otherwise have to contribute for Federally-funded transportation projects. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Roads Org 4510 FY 2018-19 Recommended Budget.

DISCUSSION:

The project consists, in general, of placing a hot mix asphalt concrete overlay, traffic striping, and shoulder backing on Nees Avenue from Millux Alignment to Russell Avenue, approximately 2 miles.

The first recommended action allows Department staff to present a verbal report for a bid opening held on August 30, 2018, for the project. The verbal report includes the estimated cost of construction based on the lowest responsive bid and the list of bidders and their respective bid amounts and Disadvantaged Business Enterprise commitments.

Recommended Action No. 2 will allow the Director to execute Contract Change Orders for the project up to the statutory limit, based on the lowest responsive bid amount. PCC, Section 20395(d) limits the extent to which the Director may be authorized to execute Contract Change Orders up to 10% of the first \$250,000, plus 5% of the amount of the original contract amount in excess of \$250,000, up to a maximum authorization of \$210,000. However, the Board's policy, last updated in 1991, limits the Director's authority to the amount 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. Your Board's authorization for the Director to approve Contract Change Orders up to the statutory limit would 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. The Contract Change Order authorization would not apply to, nor allow changes to, the scope of the work.

Plans and specifications were prepared by the Department's Design Division. It is anticipated that construction will begin in October 2018 and be completed in November 2018.

OTHER REVIEWING AGENCIES:

Caltrans provides oversight on projects where Federal funds are allocated.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map

CAO ANALYST:

Sonia M. De La Rosa