



# Board Agenda Item 34

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DATE: May 12, 2020

TO: Board of Supervisors

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

SUBJECT: Award Contract No. 19-08-C, Auberry Road / Copper Avenue Traffic Signal Installation, HSIPL-5942(241)

RECOMMENDED ACTION(S):

- 1. Adopt plans and specifications for Contract No. 19-08-C, Auberry Road / Copper Avenue Traffic Signal Installation (Project), Federal Project Number HSIPL-5942(241).**
- 2. Find that Avison Construction, Inc., 40434 Brickyard Dr., Madera, CA 93636, is the lowest responsible bidder for Contract No. 19-08-C, and that the deviation from strict bidding requirements in Avison Construction's bid is immaterial and is hereby waived, in the discretion of the Board and in furtherance of the best interests of the County.**
- 3. Award Contract No. 19-08-C to the low bidder, Avison Construction, Inc. in the amount of \$786,169.00.**

Approval of the recommended actions will authorize the award of a federally funded traffic signal project at the intersection of Copper Avenue and Auberry Road (Project). This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the Project will be delayed.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The anticipated construction cost, based on the low bid, as well as a 10% allowance for contingencies, is \$864,786. The Federal Highway Safety Improvement Program will provide \$569,200 for contract construction. The remainder of costs will be funded by the Senate Bill 1 Road Maintenance and Rehabilitation Account. Sufficient appropriations to fund the project are included in the Department of Public Works and Planning's Org 4510 FY 2019-20 Adopted Budget.

DISCUSSION:

The work to be done consists, in general, of adding left turn lanes and installing traffic signal facilities with left turn phasing at the intersection of Copper Avenue and Auberry Road. Pavement widening and reconstruction, signing, striping and pavement markings will also be completed. It is anticipated that construction will begin in June 2020 and end in March 2021.

On March 17, 2020, the Department of Public Works and Planning (Department) issued a Notice to Bidders for the Project, using the Department's standard instructions and construction contract template. On April 16, 2020, the Department held a bid opening and six bids were received. The low bid was \$786,169, which is \$177,206, or 18.74%, lower than the engineer's estimate of \$945,375. The Disadvantaged Business Enterprise (DBE) Goal for this project is 10%.

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

Bidder	Bid_Amount	<u>DBE Commitment</u>
Avison Construction, Inc.	\$786,169.00	55%
Yarbs Grading and Paving	\$828,653.00	16.6%
CalValley Construction	\$866,588.00	10%
Dawson-Mauldin, LLC	\$872,906.40	None submitted
Agee Construction Corp.	\$972,672.40	None submitted
American Paving Company	\$1,030,916.20	None submitted

There was a single irregularity in the bid package submitted by the low bidder, which may be waived by your Board's discretion, as an immaterial deviation from strict bidding requirements.

As the COVID-19 public health emergency forced the closure of the Department's typical bid reception desk, the Department started accepting electronic bids as permitted by California Public Contract Code Section 1601. The Public Contract Code also requires that Contractors submit bid security for 10% of the amount of the bid with their proposal. For this project, five of the six bids were received electronically via the Department's www.BidExpress.com page, however, only three of the six bidders submitted electronic bid bonds. While the Bid Express system allows bidders to submit electronic bid bonds, not all surety companies and contractors are currently set up to utilize this option. The low bidder, Avison Construction, submitted its bid electronically but was unable to secure an electronic surety account in time for the bid. A copy of its fully executed bid bond was included with its electronic bid, and the original bid bond was submitted within 24 hours of the bid opening. Avison did not receive any unfair competitive advantage over other bidders merely because their original bid bond was submitted after bid opening. Accordingly, the Board may waive this deviation, particularly with its having arisen from the conditions imposed during a public health emergency, as immaterial.

Plans and specifications were prepared by the Department's consultant, Willdan Engineering.

OTHER REVIEWING AGENCIES

Caltrans provides oversight on projects where Federal Highway funds are allocated.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map

CAO ANALYST:

Debbie Paolinelli