



# County of Fresno

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## Legislation Details (With Text)

**File #:** 19-1343 **Name:** Award Contract 19-05-C, Outside Canal on Russell Ave. Bridge Replacement

**In control:** Public Works & Planning

**On agenda:** 10/22/2019 **Final action:** 10/22/2019

**Enactment date:** **Enactment #:**

**Title:** Make finding that it is in the best interest of the County to waive competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Universal Tau-II crash cushions are manufactured by Barrier Systems, Inc., and only available through Statewide Safety and Signs, their authorized distributor, and necessary to match other products utilized for most of County's recently constructed bridge projects, and is consistent with provisions of Public Contract Code Section 3400(B)(2); and authorize Department of Public Works and Planning staff to incorporate these sole-sourced components in project design; and adopt plans and specifications and award Contract 19-05-C, Outside Canal on Russell Avenue Bridge Replacement Project, Federal Project No. BRLS-5942(195) to low bidder, Agee Construction Corporation, 1039 Hoblitt Avenue, Clovis, CA in amount of \$3,810,616

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Item, 2. Location Map, 3. Sole Source Acquisition Request, 4. Contract No. 19-05-C Outside Canal on Russell Avenue Bridge Replacement Project

Date	Ver.	Action By	Action	Result
10/22/2019	1	Board of Supervisors	Conducted Hearings	Pass

**DATE:** October 22, 2019

**TO:** Board of Supervisors

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

**SUBJECT:** Award Contract No. 19-05-C, Outside Canal on Russell Avenue Bridge Replacement Project

### RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Universal Tau-II crash cushions are manufactured by Barrier Systems, Inc., and only available through Statewide Safety and Signs, their authorized distributor, and necessary to match other products utilized for most of the County's recently constructed bridge projects, and is consistent with the provisions of Public Contract Code Section 3400(B)(2); and authorize Department of Public Works and Planning staff to incorporate these sole-sourced components in the project design.**
- 2. Adopt plans and specifications and award Contract 19-05-C, Outside Canal on Russell Avenue Bridge Replacement Project, Federal Project No. BRLS-5942(195) to the low bidder, Agee**

**Construction Corporation, 1039 Hoblitt Avenue, Clovis, CA 93612, in the amount of \$3,810,616.**

Approval of the recommended actions will approve the incorporation of sole sourced materials into the Outside Canal on Russell Avenue Bridge Replacement Project (Project), adopt the Project plans and specifications and award a Federally funded Highway Bridge Program (HBP) project. The sole sourced materials are necessary as they are only distributed by an authorized distributor and it is impractical for the Department of Public Work and Planning - Maintenance and Operations Division to keep replacement parts on hand for the different systems which are available. This item pertains to a location in District 1.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the Project will be delayed or will not be constructed. The specified crash cushions are needed due to the limited space which restricts approach railings.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The Department's request to waive the competitive bidding process is consistent with Administrative Policy No. 34 as the crash cushions to be installed as part of the Project are safety features included as bid items in the construction contract. Crash cushions are used in lieu of approach railing with terminal systems when sufficient space is not available to install approach railings. Universal Tau-II crash cushions are manufactured by Barrier Systems, Inc., and are available only through their authorized distributor, Statewide Safety and Signs. Crash cushions are composed of many components which are not interchangeable among the various manufacturers. Universal Tau-II crash cushions are specified because the County has numerous bridges which are already equipped with this type of crash cushion. In the event of damage to a crash cushion, it is important that the damaged components be replaced as soon as possible, and it is impractical for the Department's Maintenance and Operations Division to keep replacement parts on hand for all of the different systems which are available. Consequently, the specifications for the Project require the use of Universal Tau-II crash cushions and do not allow the contractor to substitute alternative products. The Internal Services Department - Purchasing Division concurs with the Department's request to suspend the competitive bidding process.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The maximum construction cost, based on the low bid and including an allowance for contingencies is \$4,192,232 [contract (\$3,810,616) plus contingencies (\$381,616)]. The Project is 88.53% Federally funded through the HBP. The Central California Irrigation District has agreed to equally split the local match with the County (Agreement No. 18-188). The County's portion of the local match will be paid for from the County's apportioned Senate Bill 1 (Chapter 5, Statutes of 2017) Road Maintenance Rehabilitation Account. Sufficient appropriations and estimated revenues are included in the Department's Road Org 4510 FY 2019-20 Adopted Budget.

DISCUSSION:

The Project consists of replacing the Outside Canal Bridge on Russell Avenue with a cast-in-place double box culvert. The existing bridge, which was constructed in 1954, has become submerged as a result of groundwater-related subsidence in the area. The new bridge has been designed to lift the elevation and will be located along the same road alignment. During construction, a temporary on-site detour will be constructed.

On August 6, 2019, the Department issued a Notice to Bidders relating to the Project, using the Department's standard instructions and construction contract template for a transportation project. On September 26, 2019, the Department held a bid opening and two bids were received. Agee Construction Corporation's bid was \$3,810,616, which is \$326,121, or 9.36%, higher than the engineer's estimate of \$3,484,495.

The County has numerous bridges that are equipped with the sole-sourced crash cushions and in the event of

damage to a crash cushion, it is important that the damaged components be replaced as soon as possible. However, it is impractical for the Department's Maintenance and Operations Division to keep replacement parts on hand for all of the different systems which are available. Consequently, the specifications for the Project require the use of Universal Tau-II crash cushions and do not allow the contractor to substitute alternative products.

The bidders, their respective bids, and Disadvantaged Business Enterprise (DBE) goals are shown below. As a Federally-funded project, there was a DBE goal of 9%.

<u>Bidder</u>	<u>Bid</u>	<u>DBE Commitment</u>
Agee Construction Corporation	\$3,810,616.00	30.6%
Yarbs Paving & Grading	\$4,447,432.00	10.5%

Plans and specifications were prepared by the Department's structural design consultant, Biggs Cardosa Associates. It is anticipated that construction will begin in November 2019 and will be completed in April 2020.

REFERENCE MATERIAL:

BAI # May 8, 2018  
BAI #43 April 17, 2018  
BAI#49, August 21, 2018  
BAI#68, October 17, 2017  
BAI#45, August 22, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map  
Sole Source Acquisition Request

CAO ANALYST:

Sonia M. De La Rosa