Legislation Details (With Text)

File #:	20-0681	**Name:**	Award Contract 19-S-04 Sheriff Substation Area 2
		In control:	Public Works & Planning
On agenda:	7/7/2020	**Final action:**	7/7/2020
Enactment date:		**Enactment #:**	

Title: Adopt Plans and Specifications for Contract 19-S-04 Fresno County Sheriff Area 2 Substation, and award to the low bidder, Klassen Corporation, 2021 Westwind Drive, Bakersfield, CA, including the base bid and all the additive bids, in the total amount of $11,364,500; and authorize the Chairman to execute Contract Change Orders up to 5% ($568,225) of the construction contract total for Contract No. 19-S-04

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Location Map, 3. Site Plan

Date	Ver.	Action By	Action	Result
7/7/2020	1	Board of Supervisors	Approved as Recommended	Pass

DATE: July 7, 2020

TO: Board of Supervisors

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

SUBJECT: Award Contract 19-S-04 Fresno County Sheriff Area 2 Substation

RECOMMENDED ACTION(S):

1. **Adopt Plans and Specifications for Contract 19-S-04 Fresno County Sheriff Area 2 Substation, and award to the low bidder, Klassen Corporation, 2021 Westwind Drive, Bakersfield, CA, including the base bid and all the additive bids, in the total amount of $11,364,500; and**

2. **Authorize the Chairman to execute Contract Change Orders up to 5% ($568,225) of the construction contract total for Contract No. 19-S-04.**

Approval of the first recommended action will authorize the construction of a new Area 2 Sheriff Substation (Project). Approval of the second recommended action will authorize the Chairman, upon recommendation by the Director of the Department of Public Works and Planning (Director), to execute contract change orders as necessary to complete construction of the Project, in a cumulative amount not to exceed $568,225 (5% of the construction contract total), thus expediting the change order approval process. This item pertains to a location in District 5, the impact of which will be countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved, construction of the new substation will be delayed.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Transfers from the Sheriff's Vehicle Replacement ($1,000,000) and Net County Cost ($5,349,787) transferred from Interest and Miscellaneous Expenditures Org 2540, as well as committed 2006 Tobacco Securitization Bond (Tobacco) proceeds ($4,082,938) and Asset Forfeiture ($1,500,000) will fund the construction costs.

The anticipated contract construction cost for the project, based on the low bid and including the proposed allowance for change orders, is $11,932,725. Sufficient funds to cover the cost of construction will be included in the Proposed FY 20-21 Public Works and Planning Capital Projects Org 8853 Program 91285 budget.

DISCUSSION:

The Sheriff's Office is responsible for the apprehension of criminal suspects for crimes committed in the unincorporated areas of Fresno County. This includes investigation, gathering documentation, preservation, analysis, and court testimony for evidence seized. The Department is also responsible for providing these services in the rural areas of the County and oversees area substations to provide such services. Area 2 is comprised of the unincorporated portions of metropolitan Fresno County, and serves several communities within the boundaries of American Avenue to the Madera County line and Chateau Fresno to McCall Avenue including Calwa, Malaga, Mayfair, Sunnyside, Fig Garden and Tarpey.

On October 9, 2018, the Board approved the purchase of land located at the Southwest corner of Harvey and Armstrong Avenues to construct the new Area 2 substation and parking lot. Upon completion of construction, the Area 2 substation will relocate from its current location at Shields and Clovis Avenues.

The work to be done consists of construction of a new Sheriff Substation, a Vehicle and Evidence Storage building, parking lot and associated site improvements. The project consists of steel-framed, single-story buildings of approximately 22,700 square feet for the Sheriff Substation and 35,520 square feet for the Vehicle and Evidence Storage building on a site of approximately 6.5 acres. In order to ensure that the main portion of the project could be constructed even if bids came in over budget, the Vehicle and Evidence Storage building was included as Additive Bid #1 and a large vehicle canopy was included as Additive Bid #2.

A pre-qualification and appeal procedure was adopted by the Board on August 6, 2019, which authorized the Director of Public Works and Planning to determine projects subject to a prequalification procedure, modify the standard questionnaire as needed for specific projects, and select members of the evaluation committee. The Director determined that this would be the first project subject to the procedure. The Notice of Prequalification Procedure along with the standard questionnaire was issued to contractors on February 13, 2020, with responses due March 12, 2020. Responses were received from 17 contractors. Five contractors were eliminated immediately due to not having a Class B license. One contractor was eliminated due to failure to submit all required paperwork. The remaining eleven contractor's pre-qualification questionnaires, completed project history, financial statements, and public agency references were reviewed by a pre-qualification committee consisting of representatives from the Sheriff's Department, the County Administrative Office and Public Works and Planning. After careful review, two additional firms were eliminated and the following nine firms were determined to be pre-qualified to bid as prime contractors on the project:

Bernards Bros.
Bowe Contractors Inc
Seals Construction Inc
Ardent General Inc.
Klassen Corporation
BMY Construction Group
Davis Moreno Construction, Inc
Harris Construction Co. Inc.
Solpac Construction Inc.

Factors considered in this decision included: bonding capacity, completed project history and negative references.

The Department issued the Notice to Bidders for this project on May 26, 2020. A bid opening was held on June 25, 2020 and four bids were received. The low bid from Klassen Corporation, was $4,085,500 or 26%, below the engineer's estimate of $15,450,000. The bidders and their respective bid amounts are shown below:

Bidder	Base Bid	Additive #1		Additive #2	Total
Klassen Corporation	$ 8,519,000	$2,680,500	$165,000	$11,364,500	
Seals Construction	$ 8,767,000	$3,011,000	$117,000	$11,895,000	
Harris Construction	$10,005,000	$2,305,000	$ 90,000	$12,400,000	
Bowe Contractors	$11,450,122	$2,816,572	$ 97,449	$14,364,143	

For contracts in excess of $250,000, California Public Contract Code (PCC) Section 20142 limits the extent to which the Director may be authorized to execute contract change orders to 10% of the first $250,000, plus 5% of the contract amount in excess of $250,000. However, PCC Section 20142 applies a maximum cumulative cap of $210,000 to change orders that can be executed by the Director. In the absence of your Board's approval of the second recommended action, this limitation would require Board approval of all subsequent change orders once the cumulative maximum cap on the Director's authority has been reached. The need for such Board approval of each subsequent change order, given the timelines of the Board calendar, would significantly delay the approval process, and could detrimentally affect the efficient progress of the project.

Approval of the second recommended action will authorize the Chairman to execute contract change orders up to 5% of the construction contract total, not to exceed the cumulative amount of $568,225, thereby substantially reducing the time required to process changes and minimizing the potential for contractor claims based on administrative delays. The Director, in working with project management staff, will negotiate with the awarded contractor to arrive at a recommended change order amount that is fair and reasonable to complete the extra work. Department staff will then prepare a change order or a series of change orders which will be reviewed and cleared by the Director prior to forwarding to the Chairman for final approval and execution.

Plans and Specifications were prepared by the Department's Capital Projects Division along with their consultants, Parrish Hansen Structural Engineers, Gary G. Gianetta Civil Engineering & Land Surveying, Lawrence Engineering Group, and Hardin-Davidson Engineering and are on file with the Department.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map
Site Plan

REFERENCE MATERIAL:

BAI #57, August 6, 2019
BAI #7, October 9, 2018

CAO ANALYST:

Debbie Paolinelli