



# County of Fresno

Hall of Records, Rm. 301  
2281 Tulare Street  
Fresno, California  
93721-2198

## Legislation Text

---

**File #:** 17-1386, **Version:** 1

---

**DATE:** November 14, 2017

**TO:** Board of Supervisors

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

**SUBJECT:** Award Contract No. 17-07-C, Bethel Avenue and Mountain View Avenue Traffic Signal, Highway Safety Improvement Project No. HSIPL-5942(243)

### RECOMMENDED ACTION(S):

- 1. Award Contract No. 17-07-C, Bethel Avenue and Mountain View Avenue Traffic Signal, Project No. HSIPL-5942(243), to the lowest bidder, Don Berry Construction, Inc., 13701 Golden State Blvd., Kingsburg CA 93631, in the amount of \$922,701.40.**
- 2. Authorize the Director of Public Works and Planning or his designee to execute Contract Change Orders up to \$58,635, which is approximately 6.35% of the total contract construction costs, the limit allowable under Public Contract Code 20395(d) for Contract 17-07-C.**

The first recommended action will authorize the award of the Federally funded Highway Safety Improvement Program (HSIP) project. The second recommended action will allow the Director or his designee to execute change orders up to the statutory limit.

### ALTERNATIVE ACTION(S):

If the first recommended action is not approved, it will result in the cancellation of the project and de-obligation of the allocated Federal funding. Any funds received by the County for this project to date would require reimbursement to the Federal Highway Administration from the Road Fund. If the second recommended action is not approved, the Director or his designee's authority to approve Contract Change Orders will be limited to \$31,727.

### FISCAL IMPACT:

There will be no net County Cost associated with the recommended actions. The anticipated construction cost of the project, based upon the low bid and including an allowance for contingencies, is \$981,336. The project is funded through the HSIP and the Regional Surface Transportation Program, which will provide approximately 89% of the funding for contract construction. Sufficient appropriations for the County's local match are included in the Public Works and Planning - Roads Org 4510 FY 2017-18 Adopted Budget.

### DISCUSSION:

The work to be done, in general, includes installing a new traffic signal with protected left turn phasing at the intersection of Bethel and Mountain View Avenues. The work also includes pavement widening and installation of left turn pockets on Bethel Avenue. Signing, striping, and pavement markings will also be installed.

For road projects, Public Contract Code (PCC) Section 20395(d) 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, up to a maximum authorization of \$210,000. For this project, this amounts to \$25,000 plus 5% of \$672,701.40, for a total authorization of \$58,635. However, the Board's policy, last updated in 1991, limits the Director's authority to the amount of 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. For this project, this amounts to \$25,000 plus 1% of \$672,701, for a total authorization for \$31,727. The Board's authorization for the Director to approve Contract Change Orders up to the PCC limit would prevent the Department from returning to the Board to approve change orders in excess of the Board's policy limit. This will reduce the time required to process changes, reduce paperwork, help keep costs down and reduce potential claims for additional cost and time due to administrative delays. This Contract Change Order authorization would not apply to, nor allow changes to, the scope of the work.

The Department received six bids for this project on October 19, 2017. The lowest bid was \$922,701.40, which is \$189,306.10, or 17% lower than the engineer's estimate of \$1,112,007.50.

The bid amounts and Disadvantaged Business Enterprise (DBE) Commitments are shown below:

<u>Firm</u>	<u>Bid</u>	<u>DBE Commitment</u>
Don Berry Construction, Inc.	\$ 922,701.40	26.50%
R.J. Berry, Jr., Inc.	\$ 970,332.09	22.10%
Dawson-Mauldin Construction	\$1,006,507.60	99.00%
American Paving Co.	\$1,043,568.50	None submitted
Granite Construction Co.	\$1,051,957.00	None submitted
Bush Engineering, Inc.	\$1,184,346.00	None submitted

Plans and specifications were prepared by the Department's consultant, Peters Engineering Group. It is anticipated that construction will begin in April 2018 and be completed in July 2018. The length of construction period is due to the long lead time necessary for equipment delivery.

Upon completion of the project, the Director of the Department of Public Works and Planning will issue the Notice of Completion and accept the project on behalf of the County.

OTHER REVIEWING AGENCIES:

Caltrans provides oversight on projects where Federal funds are allocated.

REFERENCE MATERIAL:

BAI #52, August 19, 2014  
BAI #38, April 4, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map

CAO ANALYST:

John Hays