



# County of Fresno

Hall of Records, Rm. 301  
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Fresno, California  
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## Legislation Text

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**File #:** 18-0323, **Version:** 1

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**DATE:** April 17, 2018

**TO:** Board of Supervisors

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

**SUBJECT:** Contract 17-15-C, Panoche Road Shoulder Improvements Federal Project No. CML-5942(255)

### RECOMMENDED ACTION(S):

- 1. Award Contract No. 17-15-C, Panoche Road Shoulder Improvements, Federal Project No. CML-5942(255), to the low bidder, Cal Valley Construction, 5125 N. Gates Avenue, Suite 102, Fresno, CA 93722, for the Alternative Bid, in the amount of \$880,025.25 .**
- 2. Authorize the Director of Public Works and Planning, or his designee, to execute Contract Change Orders up to \$56,501, which is approximately 6.42% of the total contract construction cost, the limit allowable under California Public Contract Code, section 20395(d) for Contract 17-14-C.**

Approval of the first recommended action will authorize the award of a Federally funded Congestion Mitigation and Air Quality (CMAQ) project. Approval of the second recommended action will allow the Director, or his designee, to execute 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, it will result in 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 California Department of Transportation (Caltrans) from the Road Fund. If the second recommended action is not approved, the Director's, or his designee's, authority to approve Contract Change Orders will be limited to \$31,300.

### FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The anticipated construction cost of the project, based on the low bid and including an allowance for contingencies, is \$936,526 (contract plus change orders). The improvements are 100% Federally funded through the CMAQ Program. Sufficient appropriations to fund the project are included in the Public Works and Planning - Roads Org 4510 FY 2017-18 Adopted Budget.

### DISCUSSION:

The purpose of the CMAQ Program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards for ozone, carbon monoxide, and particulate matter.

The work to be done consists, in general, of adding approximately four feet of new paved shoulder to each side of West Panoche Road from State Route 33 to San Benito Avenue, a distance of 1.63 miles. This will widen the existing 24-foot wide roadway to consist of two 12-foot wide travel lanes with four-foot wide paved shoulders on each side of the roadway. In the interest of achieving the most cost-effective project, two bid options were included.

Contractors submitted a Base Bid for the project for a structural section comprised of 0.55 foot thick asphalt concrete over 1.10 foot thick aggregate base. The Alternative Bid includes a biaxial geogrid (a polypropylene mesh) to reduce the thickness of the aggregate base to 0.80 foot.

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 \$630,025 for a total authorization of \$56,501. 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 \$630,025 for a total authorization of \$31,300. Your Board's authorization for the Director to approve Contract Change Orders up to the PCC limit would prevent the need for the Department to return to the Board to approve change orders in excess of your 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 costs and time due to administrative delays. This Change Order authorization would not apply to, nor allow changes to the scope of the work.

The Department received five bids for this project on March 15, 2018. Bids were compared, for the purposes of identifying the low bidder, on the basis of the lowest bid received without regard to whether the bid was for the base bid or the alternative bid.

The lowest bid was the alternative bid of \$880,025, which is \$58,618 or 6.66% higher than the engineer's estimate of \$821,408. The bidders, their respective bid amounts, and Disadvantaged Business Enterprise (DBE) Commitments are shown below:

<u>Bidder</u>	<u>Alternative Bid</u>	<u>Base Bid</u>	<u>DBE Commitment (Goal 8%)</u>
Cal Valley Construction	\$880,025.25	\$956,358.00	17.8%
Emmett's Excavation, Inc.	\$979,177.00	\$1,060,552.00	8.14%
Avison Construction, Inc.	\$982,960.00	\$1,038,705.00	None submitted
Teichert Construction	\$1,288,750.00	\$1,455,668.00	None submitted
Granite Construction	\$1,329,691.50	\$1,300,129.00	None submitted

Project Specifications were prepared by the Department's Design Division. It is anticipated that construction will begin in May 2018 and will be completed in August 2018. Upon completion of the project, the Director will issue the Notice of Completion and accept the project on behalf of the County.

#### OTHER REVIEWING AGENCIES:

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

#### REFERENCE MATERIAL:

BAI #32, February 28, 2017

BAI #63, August 11, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map

CAO ANALYST:

Sonia M. De La Rosa