

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE FOLLOWING:
SAN BERNARDINO COUNTY
BOARD GOVERNED COUNTY SERVICE AREAS
AND RECORD OF ACTION**

July 9, 2024

FROM

**NOEL CASTILLO, Director, Department of Public Works – Special Districts
LUTHER SNOKE, Chief Executive Office, County Administrative Office**

SUBJECT

Various Actions Regarding the County Service Area 42 Oro Grande – Oro Grande Park Revitalization Phase 2 Project

RECOMMENDATION(S)

1. Acting as the governing body of County Service Area 42 Oro Grande:
 - a. Approve a 2024-25 budget increase of \$342,029, from \$888,811 to \$1,230,840, for the County Service Area 42 Oro Grande – Oro Grande Park Revitalization Phase 2 Project.
 - b. Authorize the Auditor-Controller/Treasurer/Tax Collector to post budget adjustments, as detailed in the Financial Impact section, for the County Service Area 42 Oro Grande – Oro Grande Park Revitalization Phase 2 Project (Four votes required).
 - c. Approve Addendum No. 1, issued on May 1, 2024, to the bid documents for the County Service Area 42 Oro Grande – Oro Grande Park Revitalization Phase 2 Project.
 - d. Award construction **Contract No. 24-627** to C.S. Legacy Construction, Inc. (Walnut, CA) in the amount of \$874,878.93 for the County Service Area 42 Oro Grande – Oro Grande Park Revitalization Phase 2 Project.
 - e. Authorize the Director of the Department of Public Works to approve necessary changes or additions in the work being performed under the construction contract with C.S. Legacy Construction, Inc., for a total amount not-to-exceed \$56,243.95, pursuant to Public Contract Code Section 20142.
 - f. Authorize the Director of the Department of Public Works to accept the work when 100% complete and execute and file the Notice of Completion.
2. Acting as the governing body of San Bernardino County, approve an increase of \$267,029, from \$888,811 to \$1,155,840, of American Rescue Plan Act funding for eligible costs associated with the County Service Area 42 Oro Grande – Oro Grande Park Revitalization Phase 2 Project.

(Presenter: Noel Castillo, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.
Provide for the Safety, Health and Social Service Needs of County Residents.**

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). On May 10, 2022 (Item No. 60), the Board of Supervisors (Board) approved the use of

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\$888,811 from the County’s American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Fund (CLFRF) for eligible costs associated with the Oro Grande Park Improvement Project.

Approval of Recommendation No. 2 would authorize an increase of \$267,029, from \$888,811 to \$1,155,840, from the County’s ARPA CLFRF for eligible costs for the County Service Area 42 Oro Grande (District) – Oro Grande Park Revitalization Phase 2 Project (Project). In addition to the increase in ARPA funding, approval of Recommendation No. 1.a, would allocate an additional \$75,000 from District’s available reserves. Combined, these actions would result in an additional funding of \$342,029, which will fund the remaining contract amount (\$193,299), project contingency (\$87,488), project management and inspection services (\$61,242) for the construction of the Project, for a total funding allocation of \$1,230,840.

Sufficient appropriation and revenue for the Project will be included in future recommended budgets as needed.

The following 2024-25 budget adjustments are needed to proceed with the Project:

Fund Center/Fund	GL Account	Description	Action	Amount
3100001336	40509194	American Rescue Plan Act Recovery Fund Distribution	Increase	\$267,029
3100001336	54304030	Structures & Improvement to Structures	Increase	\$342,029
1336	37008880	Fund Balance Reserves – Available Reserve	Decrease	\$75,000

BACKGROUND INFORMATION

The District was established by the Board on December 27, 1965, to provide water, sewer, park, refuse collection and streetlighting services to the community of Oro Grande. The District owns the Oro Grande Park (Park) and provides construction, operations, and maintenance support services to the Park.

On May 10, 2022 (Item No. 60), the Board approved the Oro Grande Park Revitalization Project that consisted of two phases of improvements. Phase 1 included the demolition of the community center structure, which was completed in April 2022. Phase 2, the Project, includes replacement of playground equipment, resurfacing and restriping the basketball court, installation of fitness equipment, installation of shade structures, Americans with Disabilities Act parking improvements and other park improvements such as landscaping and flatwork.

On April 9, 2024 (Item No. 53), the Board determined the Project was exempt under the California Environmental Quality Act and directed the Department of Public Works – Special Districts (Department) to file and post a notice of exemption. The Board also approved the Project’s plans and specifications and authorized the Director of Public Works to advertise the Project for competitive bids.

Following Board approval of this item, construction is anticipated to commence in September 2024.

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PROCUREMENT

On April 9, 2024 (Item No. 53), the Board approved the Project’s plan and specifications and authorized the Director of Public Works to advertise the Project for bids. On April 10, 2024, the Department advertised the Project for bids through the County Electronic Procurement Network (ePro) and in accordance with Public Contract Code Section 22037. On April 10, 2024 and April 17, 2024, the Department advertised for bids by publishing the Project in the Hi-Desert Star and San Bernardino County Sun newspapers.

During the bidding process, the following addendums were issued:

- Addendum No. 1: Provided all interested parties with all the questions and responses gathered through the bid process, added Additive Bid Schedule No. 6: Pickleball Court and Section H – Future Pickleball Court Layout.

On April 24, 2024, a total of five contractors attended a mandatory pre-bid site meeting. On May 8, 2024, the following bids were received:

Contractor	Location	Bid Amount
C.S. Legacy Construction, Inc.	Walnut, CA	\$1,177,604.29
Horizons Construction Co. Int'l, Inc.	Orange, CA	\$1,272,899.00
RG General Engineering, Inc.	Norco, CA	Non-Responsive

The Department reviewed the bids received for the Project, determined that the low bid was responsive, and recommends an award of construction contract to C.S. Legacy Construction, Inc., as the lowest responsible bidder. The bid submitted by RG General Engineering, Inc. was determined to be non-responsive because they failed to include the required signed Non-Collusion Form as specified in Section A of the Instructions to Bidder and Project Bid Package. No protest/appeal letters were received.

The lowest bidder was determined, pursuant to Public Contract Code section 20103.8(b), as the lowest total of the total base bid plus Additive Bid No. 1 (Lighting), Additive Bid No. 2 (Planting and Irrigation), Additive Bid No. 3 (Hydroseed), Additive Bid No. 4 (Sod), Additive Bid No. 5 (Mulch) and Additive Bid No. 6 (Pickleball Courts). The District has elected to move forward with awarding the Base Bid (\$551,368.56) plus Additive Bid Nos. 1, 2, and 4 only (\$323,510.37), for a total contract amount of \$874,878.93.

Under an established formula based on the contract amount of \$874,878.93, Public Contract Code Section 20142 allows the Board to authorize the Director of Public Works to order changes in the contract, including for unforeseen conditions or design shortfalls, should they become necessary in the future, for a total amount not to exceed \$56,243.95.

REVIEW BY OTHERS

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Auditor-Controller Manager, 382-7022) on June 20, 2024; County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on June 21, 2024; Purchasing (Michael Candelaria, Lead Buyer, 387-8258) on June 17, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222, and Guy Martinez, ARPA Compliance Officer, 387-5428) on June 17, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on June 21, 2024.

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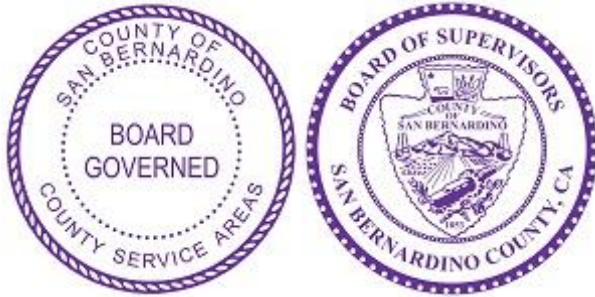
Record of Action of the Board of Supervisors
Board Governed County Service Areas
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: July 9, 2024



cc: PW - Lestina w/ agree
Contractor c/o PW w/ agree
File w/ agree
JLL 07/15/2024