

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
AND RECORD OF ACTION**

June 9, 2020

**FROM**

**BRENDON BIGGS, Interim Director, Department of Public Works –Transportation**

**SUBJECT**

Contract with ONYX Paving Company, Inc. for the Sterling Avenue Project, San Bernardino Area

**RECOMMENDATION(S)**

1. Award a construction **Contract No. 20-404** to ONYX Paving Company, Inc. (Anaheim, CA), in the amount of \$848,000 for the Sterling Avenue project in the San Bernardino area (Project).
2. Authorize a contingency fund of \$84,800 for the Project.
3. Authorize the Director of Public Works and/or Interim Director of Public Works to approve the expenditure of the contingency fund of \$84,800 for verified quantity overruns for this unit priced construction contract.
4. Authorize the Director of Public Works and/or Interim Director of Public Works to order any necessary changes or additions in the work being performed under the contract for a total amount not to exceed \$54,900 of the \$84,800 contingency fund, pursuant to Public Contract Code section 20142.
5. Authorize the Director of Public Works and/or Interim Director of Public Works to accept the work when 100% complete and execute and file the Notice of Completion.

(Presenter: Brendon Biggs, Interim 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). The Department of Public Works (Department) is funded by Gas Tax revenues, fees and other state and local funding. The total estimated cost of the Project is \$1,500,000. In accordance with Cooperative Agreement No. 19-114, the City of San Bernardino (City) agrees to reimburse the Department for its share of cost for the subject work within the City's jurisdiction, which is estimated to be \$675,000. The estimated remaining Project cost of \$825,000 will be funded by the Department with Gas Tax and Senate Bill 1 Road Maintenance and Rehabilitation Account (RMRA) funds. Any additional costs, up to 25 percent will be shared proportionately between the Department and City. Sufficient appropriation and revenue are included in the Department's 2019-20 Road Operations budget (6650002000 34H14784) and will be included in future recommended budgets.

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**BACKGROUND INFORMATION**

The Project consists of milling the existing pavement and overlaying the roadway with new asphalt concrete, replacing deteriorated sections of asphalt concrete dike with concrete curb and gutter, and construction of new or upgrading certain curb ramps in accordance with current design standards pursuant to the Americans with Disabilities Act (ADA). All work for this Project will be done within the existing road right-of-way and no additional right-of-way will need to be acquired. The Project will meet the County and Chief Executive Officer's goals and objectives of ensuring the development of a well-planned, balanced and sustainable County and providing for the safety, health and social service needs of County residents by preserving and improving the structural integrity of existing road surfaces, improving access for all pedestrians and removing architectural barriers for those with mobility disabilities.

Following Board of Supervisors (Board) approval of this item, construction is anticipated to commence July of 2020 and be completed by end of August of 2020.

**PROCUREMENT**

On March 24, 2020 (Item No. 37), the Board approved the Project's plans and specifications, as well as authorized the Director of Public Works and/or Interim Director of Public Works to advertise the Project for bids. This Project was advertised in the Daily Press on April 7, 2020, in the Precinct Reporter on April 9, 2020, and released on the County Electronic Procurement Network (ePro) on April 7, 2020. Notice inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. On May 7, 2020, the following seven bids were received:

<u>Contractor</u>	<u>Location</u>	<u>Total Bid</u>
ONYX Paving Company	Anaheim, CA	\$848,000.00
Hardy & Harper	Lake Forest, CA	\$875,768.25
All American Asphalt	Corona, CA	\$879,590.00
Vance Corporation	Bloomington, CA	\$959,714.00
Lee & Stires Company	Ontario, CA	\$1,017,048.95
Roadway Engineering & Contracting	Fontana, CA	\$1,062,024.00
Matich Corporation	Highland, CA	\$1,079,824.90

The Department has reviewed the bids received and determined that they are responsive, and recommends entering into a contract with ONYX Paving Company, Inc., the lowest responsible bidder. No appeal/protest letters were received.

This Project will have a 10 percent contingency fund of \$84,800 to compensate the contractor for verified quantity overruns, as well as changes in the contract under certain circumstances. Under an established formula based on the contract amount, Public Contract Code section 20142 allows the Board to authorize the Director of Public Works and/or Interim 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 \$54,900 of the \$84,800 contingency fund.

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**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on May 11, 2020; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on May 11, 2020; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on May 19, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 25, 2020.

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Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Josie Gonzales Seconded: Robert A. Lovingood  
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: June 9, 2020



cc: PW/Trans- Silao w/agree  
Contractor- C/O PW/Trans w/agree  
File- w/agree  
la 06/15/2020