

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

August 22, 2023

FROM

DON DAY, Director, Project and Facilities Management Department

SUBJECT

Award Construction Contract for the Sheriff Colorado River Station Remodel Project in Needles

RECOMMENDATION(S)

1. Find that the specifications for bid for the Sheriff Colorado River Station Remodel Project in Needles calling for the installation of the Genetec VMS System, and not allowing substitution of an equal project, is acceptable under Public Contract Code Section 3400(c)(2), as the installation of the Genetec VMS System is required in order to match other products in use on a particular public improvement either completed or in the course of completion.
2. Approve Revised Special Conditions to include the finding made in Recommendation No. 1.
3. Approve the following addenda to the Bid Documents for the Sheriff Colorado River Station Remodel Project in Needles:
 - a. Addendum No. 1 to the Bid Documents, issued March 24, 2023, which added a Geotechnical Report dated October 20, 2022, and Technical Specifications dated March 14, 2023, and revised the bid opening Zoom link.
 - b. Addendum No. 2 to the Bid Documents, issued April 24, 2023, which revised the bid opening date from April 27, 2023, at 10:00 a.m., to May 3, 2023, at 10:00 a.m.; revised the Bid Proposal form and drawings; added the Lead Paint Inspection Report, Commercial Structure Asbestos Survey, and Technical Specifications; and provided answers to prospective bidder questions.
4. Find Angeles Contractor, Inc.'s Bid Proposal to be responsive.
5. Award Construction **Contract No. 23-929**, in the amount of \$9,115,000, to Angeles Contractor, Inc., for the Sheriff Colorado River Station Remodel Project, located at 1111 Bailey Avenue in Needles.
6. Authorize the Director of the Project and Facilities Management Department to order any necessary change or addition in work being performed under the contractor, for a total not-to-exceed \$210,000, pursuant to California Public Contract Code Section 20142.
7. Authorize the Director of Project and Facilities Management Department to accept the work when 100% complete and execute and file the Notice of Completion.

(Presenter: Don Day, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Provide for the Safety, Health and Social Service Needs of County Residents.

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FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Costs). The Sheriff/Coroner/Public Administrator's (Sheriff) Colorado River Station Remodel Project (WBSE 10.10.1220) (Project) budget of \$13,952,484 is funded with Discretionary General Funding in the amount of \$6,594,490 and Proposition 172 Funds in the amount of \$7,357,994, as approved by the Board of Supervisors (Board) as part of the 2023-24 Capital Improvement Program (CIP) budget.

BACKGROUND INFORMATION

Following the December 2, 2015 terrorist attack, the County undertook various measures to enhance security throughout County-owned and, in some cases, leased facilities. A primary objective was to standardize the Genetec Software platform for video management and surveillance. In the Bid Package for this Project, the Project and Facilities Management Department (PFMD) included a requirement that the contractor install the Genetec VMS System without allowing an equal substitution.

Public Contract Code Section 3400 allows for the omission of "or equal" if a specified exemption applies and the Board makes the appropriate finding. For this Project, the applicable exemption is one which allows for requiring a particular product if it is necessary "in order to match other products in use on a particular public improvement either completed or in the course of completion" as stated in Public Contract Code Section 3400(c)(2). Recommendation Nos. 1 and 2 will enable the County to meet this requirement.

Approval of Recommendation Nos. 3 through 7 will award a construction contract to Angeles Contractor, Inc. (ACI) for the Project located in the City of Needles (City) and enable PFMD to proceed with the Project. The Project, established in 2021, on behalf of the Sheriff, is a design-bid-build construction project. The Sheriff's Colorado River Station (Facility) provides law enforcement services to the unincorporated areas of the County, and by contract, to the City.

The Facility was originally built in 1974 and was shared by the Sheriff and the Needles Police Station. In 1989, the City began to contract with the Sheriff for law enforcement services. At this time, minor alterations to the Facility were made to bring all functions under one command. There are 52 employees assigned to the station to perform both patrol duties and maintain the 30-bed jail facility.

Several areas of the Facility operate with redundant use of space, as well as wasted space due to the original dual operational design. Due to increased staffing requirements and the age of the building, a full remodel of the Sheriff Colorado River building and portions of the City Chamber building, which the Sheriff currently occupies, is required to reconfigure the space to improve synergy, meet American with Disabilities Act (ADA) requirements, and enhance functionality.

The Project will create a new interior floor plan to include a new mechanical system, electrical components, ADA improvements, assessment of roofing systems, Information Technology infrastructure, installation of new video management and access control systems, domestic water and sewer system upgrades to meet standard building codes, and to provide for the current and future needs of the Facility within the existing building envelope and within portions of the City building. The remodel will incorporate two buildings consisting of 9,678 square feet (sq. ft.). The current Sheriff's building areas consist of 5,673 sq. ft., and the additional City's building areas, to be occupied by Sheriff, consist of 4,005 sq. ft. The jail areas within the Sheriff

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building are excluded from the project improvements, except for the installation of door and intercom controls and surveillance cameras.

The County currently occupies space in the City building pursuant to Use Permit Agreement No. 14-47 with the City of Needles, approved by the Board on February 11, 2014 (Item No. 28). On October 25, 2022 (Item No. 77), the Board approved Amendment No. 1 to Use Permit Agreement No. 14-47 with the City to expand the total Use Area to 3,684 sq. ft., extend the Use Permit term through October 24, 2025, and permit the County to make structural and non-structural alterations, and improvements and additions to the Use Area. Amendment No. 2 to Use Permit Agreement No. 14-47, is scheduled for Board approval on August 22, 2023, as a companion item, to add an additional 321 sq. ft. to increase the total County Use Area within the City building to 4,005 sq. ft.

On March 14, 2023 (Item No. 31), the Board found the Project to be categorically exempt from further review under California Environmental Quality Act Guidelines (Title 14, California Code of Regulations) Section 15301 Class 1 Subsection (a), (d), (e) minor alteration of existing structure.

This Project is consistent with County Administrative Office approved CIP Project No. 22-030.

PROCUREMENT

On March 14, 2023 (Item No. 31), the Board authorized PFMD to advertise for competitive bids for the Project. PFMD advertised for bids in the Daily Press on March 17, 2023, six Plan Rooms and on the County Electronic Procurement Network (ePro). On March 24, 2023, Addendum No.1 was released, which added a Geotechnical Report dated October 20, 2022, and Technical Specifications dated March 14, 2023, and revised the bid opening Zoom link.

On March 29, 2023, 10 contractors attended a mandatory job walk. On April 24, 2023, Addendum No. 2 was released, which revised the bid opening date from April 27, 2023, at 10:00 a.m. to May 3, 2023, at 10:00 a.m.; revised the Bid Proposal form and drawings; added the Lead Paint Inspection Report, Commercial Structure Asbestos Survey, and Technical Specifications; and provided answers to prospective bidder's questions.

On May 3, 2023, the following three bids were received:

Contractor	Location	Bid
Angeles Contractor, Inc.	City of Industry, CA	\$9,115,000
MarCon Engineering Inc.	Escondido, CA	\$10,888,000
Horizons Construction Co, Int'l Inc.	Orange, CA	\$11,300,700

On May 4, 2023, PFMD received a bid protest letter from MarCon Engineering Inc. (MarCon) alleging ACI's bid was nonresponsive because ACI had failed to list a C-36 licensed plumber subcontractor in its Bid Proposal as required by the Bid Documents. PFMD considered the protest and found that there was no error in ACI's bid as ACI had listed subcontractor West Coast Renovations and Improvements (WCR), a B licensed contractor, and WCR, in turn had the ability, pursuant to Business and Professions Code Section 7057(b), to agree to the subcontract and also hire a third-tier subcontractor with a C-36 license. ACI provided a quote, obtained by WCR, from a C-36 licensed plumber, dated May 3, 2023, the date of bid opening.

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PFMD recommends that the Board find ACI's bid to be responsive and award the construction contract to ACI, the lowest responsive and responsible bidder.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5455) on July 13, 2023; Sheriff Department (Jose Torres, Sheriff's Administrative Manager, 387-3465) on August 2, 2023; Purchasing (Leo Gomez, Purchasing Manager, 387-2063) on July 27, 2023; Project and Facilities Management (Robert Gilliam, Chief of Project Management, and Jennifer Costa, Chief of Facilities Management, 387-5000) on August 3, 2023; Finance (Garrett Baker, 387-3077, and Erika Rodarte, 387-4919, Administrative Analysts) on August 8, 2023; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on August 9, 2023.

(EB: 677-7950)

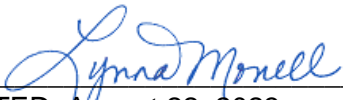
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 22, 2023



cc: PFMD - Wissert w/agree
Contractor - c/o PFMD w/agree
File - w/agree
CCM 08/30/2023