

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

May 20, 2025

FROM

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

SUBJECT

Various Actions Regarding the Arrow Route Sewer Main Project in the Fontana Area

RECOMMENDATION(S)

1. Acting as the governing body of San Bernardino County, approve **Amendment No. 1 to non-financial Memorandum of Understanding No. 25-105** with City of Fontana, for the Arrow Route Sewer Main Project, revising the Phase I scope of work, with no change to the term of five years, from February 11, 2025, through February 11, 2030. .
2. Acting as the governing body of the San Bernardino County Board Governed County Service Areas:
 - a. Approve Addendum No. 1, issued on March 19, 2025, and Addendum No. 2 issued on April 1, 2025 to the bid documents for the Arrow Route Sewer Main Project.
 - b. Award Construction **Contract No. 25-318** to Downing Construction, Inc. in the amount of \$7,921,118 for the Arrow Route Sewer Main Project.
 - c. Authorize a contingency fund of \$792,111 for the Arrow Route Sewer Main Project.
 - d. Authorize the Director of the Department of Public Works to approve the expenditures up to \$792,111 of the contingency fund for verified quantity overruns for this unit-priced construction contract.
 - e. Authorize the Director of the Department of Public Works to order any necessary changes or additions in the work being performed under the construction with Downing Construction, Inc., for a total amount not-to-exceed \$210,000 of the \$792,111 reserved for verified quantity overruns, 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 to execute and file the Notice of Completion.

(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.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). On February 11, 2025 (Item No. 46), the Board of Supervisors (Board) allocated

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Discretionary General Funding in the amount of \$11,363,597 to the County Service Area (CSA 70) 70 Countywide Capital Improvement Program's (CIP).

Recommendation No. 1, Amendment No. 1 to the Memorandum of Understanding, is non-financial in nature.

BACKGROUND INFORMATION

Arrow Route is a part of the County Maintained Road System in the unincorporated Fontana Community (Community), which is adjacent to the City of Fontana (City). The surrounding parcels are served by the City's sewer system. However, the existing Community in the unincorporated area is currently relying on septic systems due to a lack of City sewer infrastructure. The proposed Arrow Route Sewer Main Project (Project) is needed to allow for future tie-ins of approximately 270 parcels in the Community into the City's existing sewer system.

The City funded and manage the environmental, acquisition and design/engineering of a sewer main with all required manholes, tie-ins and appurtenances along Arrow Route from Ilex Avenue to Beech Ave, Beech Avenue from Arrow Route to Foothill Avenue, and Cherry Avenue from Arrow Route to Foothill Avenue. The new mainline sewer line will enable property owners to transition from septic to sewer in the future. The Project is within the City's sphere of influence and will be built according to the City's Sanitary Sewer System Master Plan. The County will fund the Project and the Department of Public Works – Special Districts (Department) will manage the construction of the Project within the available funding as indicated in the Financial Impact section.

On February 11, 2025 (Item No. 46), the Board determined that the Project was exempt under California Environmental Quality Act (CEQA) and a notice of exemption was filed. No further action related to CEQA is required at this time. The Board also approved a non-financial MOU with the City of Fontana (MOU). The MOU includes phasing provisions intended for use in the event the project budget was insufficient to award construction of the entire project. The Department's budget was sufficient to fund construction in its entirety and the entire project will be constructed as designed during Phase I requiring the need to amend the MOU. The Amendment will allow the award of construction for the entire Project by eliminating phasing provisions.

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PROCUREMENT

On February 11, 2025 (Item No. 46), the Board approved the Project's plans and specifications, as well as authorized the Director of the Department to advertise the Project for bids. This Project was advertised in the Press Enterprise on February 26, 2025 and March 5, 2025, and in the Fontana Herald News on February 28, 2025 and March 7, 2025, and released on the County Electronic Procurement Network (ePro) on February 26, 2025 in accordance with Public Contract Code Section 22037.

During the bidding process, the following addenda were issued:

Addendum No. 1: Revised Section A replacing page AB-2 and added Section H-Geotechnical Report to the bidding documents. Provided a response to a single question.

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Addendum No. 2: Revised Section A to amend pages BP-1 through BP-10 and Section G to replace sheet 3 of 28. Added Section I – Potholing Report. Provided all interested parties with the remainder of Questions and Responses gathered through the bidding process.

On March 11, 2025, a total of sixteen contractors attended a mandatory pre-bid meeting. On April 8, 2025, the following six bids were received:

Contractor	Location	Total Bid
Downing Construction Inc.	Redlands, CA	\$7,921,118.00
KEC Engineering	Corona, CA	\$8,411,295.00
MNR Construction	La Verne, CA	\$9,480,879.00
Norstar Plumbing and Engineering	Alta Loma, CA	\$9,629,724.00
Ramona, Inc	Baldwin Park, CA	\$19,019,900.00
WEKA	San Bernardino, CA	\$12,166,076.00

The Department reviewed the bids received for the Project, determined that apparent low bid was responsive, and recommends an award of a construction contract to Downing Construction Inc., as the lowest responsible bidder. No appeal/protest letters were received.

The lowest bidder was determined pursuant to Public Contract Code section 20103.8(b), the lowest total of the bid prices on the base contract, and those additive or deductive items that were specifically identified in the bid solicitation, which included the lowest total of the total base bid plus Additive Bid No. 1 (Illex Manhole Connection Sta. 9+98.02), Additive Bid No. 2 (Cherry Ave. from Arrow Route to Sta. 35+34.88), and Additive Bid No. 3 (Beech Ave. from Arrow Route to Sta. 35+87.79). The Department has elected to move forward with the Base Bid (\$6,106,339) plus Additive Bid No.1, 2 and 3 (\$1,814,779), for a total contract amount of \$7,921,118.

This Project will have a contingency fund of \$792,111 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 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 \$210,000 of the \$792,111 contingency fund.

Following Board approval of this item, construction is anticipated to commence June 2025 and be completed by October 2026.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, and Aaron Gest, Deputy County Counsel, 387-5455) on April 28, 2025; Finance (Amanda Trussell, Principal Administrative Analyst, 387-4773) on April 30, 2025; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on May 4, 2025.

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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.), Dawn Rowe, Curt Hagman, Joe Baca, Jr.
Absent: Jesse Armendarez

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 20, 2025



cc: PW/SD - Reyes w/agree
Contractor - c/o PW/SD w/agree
File - w/agree
MBA 05/22/2025