

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

November 19, 2024

FROM

NOEL CASTILLO, Director, Department of Public Works – Transportation

SUBJECT

Contract with Calmex Engineering, Inc. for the Pipeline Avenue and Other Roads Project in the Chino and Montclair Areas

RECOMMENDATION(S)

1. Approve Addendum No 1, issued on September 4, 2024, and Addendum No. 2, issued on September 27, 2024, to the bid documents for the Pipeline Avenue and Other Roads Project in the Chino and Montclair areas.
2. Award a construction contract to Calmex Engineering, Inc. (Bloomington, CA) in the amount of \$6,177,899.11 for the Pipeline Avenue and Other Roads Project in the Chino and Montclair areas.
3. Authorize a contingency fund of \$617,789 for the Pipeline Avenue and Other Roads Project in the Chino and Montclair areas.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$617,789 for verified quantity overruns for this unit priced construction contract.
5. Authorize the Director of the Department 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 \$210,000 of the \$617,789 contingency fund, pursuant to Public Contract Code section 20142.
6. Authorize the Director of the Department of Public Works to accept the work when 100% complete and execute and file the Notice of Completion.
7. Approve the use of up to \$450,000 of American Rescue Plan Act Coronavirus Local Fiscal Recovery Fund Program funding for eligible costs for the Pipeline Avenue and Other Roads Project in the Chino and Montclair areas.

(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 Discretionary General Funding (Net County Cost). The Department of Public Works (Department) is funded by Gas Tax revenue, fee revenue, and other federal, state and local funding. The Pipeline Avenue and Other Roads Project in the Chino and Montclair Areas (Project) will be funded with American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Fund program funds, which provide

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reimbursement of up to \$450,000 for eligible costs, \$250,000 from the City of Montclair (City) funds, grant revenue of \$513,000 from the Community Development Block Grant (CDBG) funds, and the remaining cost will be funded with Senate Bill 1 (SB1) Road Maintenance and Rehabilitation Account (RMRA) revenue. CDBG funds are administered by the San Bernardino County Community Development and Housing Department (CDH) and will be used to pay for the installation and reconstruction of curb ramps included in the scope of the Project. Sufficient revenue and appropriation are included in the Department's 2024-25 Road Operations budget (6650002000 34H14974).

BACKGROUND INFORMATION

The Project involves pavement rehabilitation on Chino Avenue from 0.20 miles east of State Route 71 to 0.06 miles west of Pipeline Avenue, and on Pipeline Avenue from 0.06 miles north of Chino Avenue to 0.06 miles south of Phillips Boulevard, and reconstruction on Pipeline Avenue from 0.06 miles south of Phillips Boulevard to Mission Boulevard, and installation of a storm drain and appurtenant structures on Pipeline Avenue from Philadelphia Street to Del Mar Avenue. The Project will also involve installing new and reconstructing existing curb ramps at various locations on Pipeline Avenue, Chino Avenue, Riverside Drive and East End Avenue in the Chino and Montclair areas, in accordance with current design standards and pursuant to the Americans with Disabilities Act (ADA). All right-of-way has been acquired for the Project.

This Project was prioritized by the Board of Supervisors (Board) as part of the 2020-21 SB1 RMRA project list, which was approved on April 21, 2020 (Item No. 45). Updates to existing ADA compliant curb ramps or installation of new ADA compliant curb ramps for the Project are required under the federal "2013 Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing" guidelines.

On February 11, 2020 (Item No. 58), the Board determined the Project was exempt under the California Environmental Quality Act, approved the Project as defined in the Notice of Exemption, and directed the Clerk of the Board to file and post said notice.

On June 23, 2020 (Item No. 71), the Board approved Cooperative Agreement No. 20-501 between the County and the City for implementation of this Project. On November 14, 2023 (Item No. 64), the Board approved Amendment No. 1 extending the Cooperative Agreement through June 30, 2025, or upon completion of the Project and payment of the final billing by the County, whichever occurs first.

On July 28, 2020 (Item No. 50), the Board approved the Appraisal, Acquisition, and Authorization for Easements Across Private Property for the Project. Approval of this item authorized the County's Real Estate Services Department to make offers and acquire the necessary right-of-way in conformance with all applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Government Code section 7260 et seq., corresponding regulations, and County Policy No. 12-20.

Pursuant to delegated authority from the United States Department of Housing and Urban Development, on July 1, 2024, CDH reviewed the Project for environmental compliance under the National Environmental Policy Act (NEPA) and determined the Project Categorically Excluded pursuant to Title 24 of the Code of Federal Regulations, Section 58.35(a), and subject to the laws and authorities at Section 58.5.

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The Project's specifications include an allowance in the amount of \$200,000 for unforeseen differing site conditions associated with utility conflicts and or soil conditions.

In 2021, the ARPA Recovery Fund provided \$350 billion in funding to state, local, and tribal governments to support economic recovery from the continued impact of COVID-19 and the negative impacts of the pandemic. The ARPA Recovery Fund provided funding for critical capital projects which need to be obligated by December 31, 2024.

The Project aligns with the County and the Chief Executive Officer's goals and objectives of ensuring development of a well-planned, balanced and sustainable County and providing for the safety of county residents by improving access for all pedestrians, including those with disabilities, and by improving the structural integrity of roads.

Following Board approval of this item, construction is anticipated to commence December 2024 and be completed by April 2025.

PROCUREMENT

On July 23, 2024 (Item No. 48), 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 San Bernardino Sun newspaper on September 3, 2024, and released on the County electronic procurement network (ePro) PWG125-LANDD 5596 on September 3, 2024. Notice inviting bids were also provided to specified construction trade journals identified pursuant to Public Contract Code section 22036. On October 3, 2024, the following five bids were received:

Contractor	Location	Total Bid
Calmex Engineering, Inc.	Bloomington, CA	\$6,177,899.11
All American Asphalt	Corona, CA	\$6,386,014.70
Hardy & Harper, Inc.	Lake Forest, CA	\$6,396,500.00
Onyx Paving Company, Inc.	Anaheim, CA	\$6,963,000.00
Granite Construction Company	Indio, CA	\$8,275,000.00

The following addenda were issued during the bidding phase.

Addendum No. 1: Amend sheets in the Project Plan, Amend the Blue and Pink Pages, Add ARPA funding language, Amend the Project Special Provisions, Amend the Green Pages, Amend the Proposal Pages, Amend the Exhibit A Pages.

Addendum No. 2: Amend sheets in the Project Plan, Amend the Project Special Provisions, Amend the Pink Pages, Amend the Green Pages, Amend the Proposal Pages, Provide answers to questions asked by Bidders

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

This Project will have a ten percent contingency fund of \$617,789 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

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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 \$617,789 contingency fund.

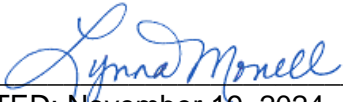
REVIEW BY OTHERS

This item has been reviewed by County Counsel Aaron Gest, Deputy County Counsel, 387-5455) on October 10, 2024; Purchasing (Michael Candelaria, Lead Buyer, 387-8258) on October 10, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222, and Guy Martinez, ARPA Compliance Officer, 387-5428) on October 21, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on October 21, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: November 19, 2024



cc: PW/Trans - Silao w/agree
Contractor - c/o PW/Trans w/agree
File - w/agree
MBA 11/20/2024