

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

March 12, 2024

FROM

NOEL CASTILLO, Director, Department of Public Works – Transportation

SUBJECT

Contract with MCC Equipment Rentals, Inc. for the 35th Street at Elmwood Road Storm Drain Replacement Project in the Del Rosa Area

RECOMMENDATION(S)

1. Approve Addendum No. 1, issued on January 8, 2024, to the bid documents for the 35th Street at Elmwood Road Storm Drain Replacement Project in the Del Rosa area.
2. Award a construction **Contract No. 24-200** to MCC Equipment Rentals, Inc. (Yucaipa, CA) in the amount of \$321,009 for the 35th Street at Elmwood Road Storm Drain Replacement Project in the Del Rosa area.
3. Authorize a contingency fund of \$32,100 for the 35th Street at Elmwood Road Storm Drain Replacement Project in the Del Rosa area.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$32,100 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 \$28,550 of the \$32,100 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.

(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). The 35th Street at Elmwood Road Storm Drain Replacement Project in the Del Rosa area (Project) is funded by Gas Tax revenues. Sufficient revenue and appropriation are included in the Department of Public Works (Department) 2023-24 Road Operations budget (6650002000 48H15114) and will be included in future recommended budgets if necessary.

BACKGROUND INFORMATION

The Project consists of removing and replacing approximately 185 feet of existing deteriorated corrugated metal storm drainpipe and drainage structures with new reinforced concrete pipe and drainage structures at the intersection of 35th Street and Elmwood Road and along a San Bernardino County Flood Control District (District) easement leading to the District's Del Rosa

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Channel. Permits for work within District right-of-way, easement, and temporary construction easements on private property will be required; the remaining work for the Project will be done within existing right-of-way.

On April 26, 2022 (Item No. 51), the Board of Supervisors (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.

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 by preserving and improving the structural integrity of existing drainage facilities and road surfaces.

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

PROCUREMENT

On November 14, 2023 (Item No. 62), 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 Daily Press on January 11, 2024, in the Precinct Reporter on January 11, 2024, and released on the County Electronic Procurement Network (ePro) on January 11, 2024. Notice inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. On February 8, 2024, the following 10 bids were received:

Contractor	Location	Total Bid
MCC Equipment Rentals, Inc.	Yucaipa, CA	\$321,009.00
S. Porter, Inc.	Big Bear Lake, CA	\$390,692.00
GRCCON, Inc.	Baldwin Park, CA	\$432,423.00
Kirtley Construction, Inc. dba TK Construction, Inc.	San Bernardino, CA	\$441,165.00
KEC Engineering, Inc.	Corona, CA	\$472,126.00
Ramona, Inc.	Baldwin Park, CA	\$565,510.00
Hardy & Harper, Inc.	Lake Forest, CA	\$611,000.00
Gentry General Engineering, Inc.	Colton, CA	\$697,939.25
GCI Construction, Inc.	San Clemente, CA	\$515,509.00 (Non-Responsive)
El-Co Contractors, Inc.	San Bernardino, CA	\$668,729.00 (Non-Responsive)

During the bidding phase, Addendum No. 1 was issued to delete the Plan Set and replace with a revised Plan Set, due to fence changes; amend Notice to Bidders pages NB-1 and NB-2 to include correct ePro web address; amend Section 10-1.13 Dust Control to remove broken web address; delete Section 10-1.19 Remove Fences, Walls and Gates and replace with revised Section; revise Section 10-1.29 Fence and Wall to add pay item; revise Section General Prevailing Wage Rate (Blue Pages) to remove unnecessary determinations; and delete Proposal pages and replace with revised Proposal Pages.

Upon receipt of bids, the Department determined that the bids submitted by El-Co Contractors, Inc. and GCI Construction, Inc. were nonresponsive due to not acknowledging Addendum No. 1.

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The Department reviewed the remaining eight bids received and determined that these are responsive and recommends entering into a contract with MCC Equipment Rentals, Inc., the lowest responsible bidder. No appeal/protest letters were received.

This Project will have a 10 percent contingency fund of \$32,100 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 \$28,550 of the \$32,100 contingency fund.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on February 14, 2024; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on February 14, 2024; Finance (Carl Lofton, Administrative Analyst, 387-5404) on February 23, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on February 26, 2024.


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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 12, 2024



cc: PW/Trans - Silao w/agree
Contractor - c/o PW/Trans w/agree
File - w/agree
CCM 03/14/2024