

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

December 19, 2023

FROM

BRENDON BIGGS, Director and Chief Flood Control Engineer, Department of Public Works – Transportation & Flood Control District

SUBJECT

Contracts and Contract Amendments for On-Call Public Works Maintenance Services

RECOMMENDATION(S)

1. Acting as the governing body of San Bernardino County:
 - a. Approve contracts with the following 10 contractors, in the amount of \$2,000,000 each, for the period of January 1, 2024 through January 31, 2028, for on-call services, including routine maintenance services, emergency services, and public projects not exceeding \$60,000:
 - i. Alcoa Traffic Control, Inc. (Huntington Beach, CA) **Agreement No. 23-1335**
 - ii. Clean Harbors Environmental Services, Inc. (Highland, CA) **Agreement No. 23-1336**
 - iii. Dantin Enterprises, Inc. dba All American Fence Erectors (Hesperia, CA) **Agreement No. 23-1337**
 - iv. Daringer Construction (Thousand Oaks, CA) **Agreement No. 23-1338**
 - v. Ellis Fence Co. (Barstow, CA) **Agreement No. 23-1339**
 - vi. Gentry General Engineering, Inc. (Rancho Cucamonga, CA) **Agreement No. 23-1340**
 - vii. Horizons Construction Co. Int'l, Inc. (Orange, CA) **Agreement No. 23-1341**
 - viii. Inland Empire Fence & Construction (Montclair, CA) **Agreement No. 23-1342**
 - ix. Pavement Recycling Systems, Inc. (Jurupa Valley, CA) **Agreement No. 23-1343**
 - x. Safe USA, Inc. (Ontario, CA) **Agreement No. 23-1344**
 - b. Approve **Amendment No. 1** to the following contracts, adding additional requirements in connection with Senate Bill 1439 contractor information reporting, replacing Attachment C-Scope of Work and Attachment D-Public Works Maintenance Services Schedule with no changes to the contract term of February 7, 2023 through January 31, 2028:
 - i. Three Peaks Corp., **Contract No. 23-84**
 - ii. Vance Corporation, **Contract No. 23-86**
 - c. Approve **Amendment No. 1 for Contract No. 23-657** with S Porter Inc., replacing Attachment C-Scope of Work and Attachment D- Public Works Maintenance Services Schedule, with no change to the contract term of July 11, 2023 through January 31, 2028.
2. Acting as the governing body of San Bernardino County Flood Control District:
 - a. Approve contracts with the following 10 contractors, in the amount of \$2,000,000 each, for the period of January 1, 2024 through January 31, 2028, for on-call services, including routine maintenance services, emergency services, and public projects not exceeding \$60,000:

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- i. Alcoa Traffic Control, Inc. (Huntington Beach, CA) **Agreement No. 23-1345**
- ii. Clean Harbors Environmental Services, Inc. (Highland, CA) **Agreement No. 23-1346**
- iii. Dantin Enterprises, Inc. dba All American Fence Erectors (Hesperia, CA) **Agreement No. 23-1347**
- iv. Daringer Construction (Thousand Oaks, CA) **Agreement No. 23-1348**
- v. Ellis Fence Co. (Barstow, CA) **Agreement No. 23-1349**
- vi. Gentry General Engineering, Inc. (Rancho Cucamonga, CA) **Agreement No. 23-1350**
- vii. Horizons Construction Co. Int'l, Inc. (Orange, CA) **Agreement No. 23-1351**
- viii. Inland Empire Fence & Construction (Montclair, CA) **Agreement No. 23-1352**
- ix. Pavement Recycling Systems, Inc. (Jurupa Valley, CA) **Agreement No. 23-1353**
- x. Safe USA, Inc. (Ontario, CA) **Agreement No. 23-1354**
- b. Approve **Amendment No. 1** to the following contracts, adding additional requirements in connection with Senate Bill 1439 contractor information reporting, replacing Attachment C-Scope of Work and Attachment D- Public Works Maintenance Services Schedule with no changes to the contract term of February 7, 2023 through January 31, 2028:
 - i. Three Peaks Corp., **Contract No. 23-97**
 - ii. Vance Corporation, **Contract No. 23-99**
- c. Approve **Amendment No. 1 for Contract No. 23-663** with S Porter Inc., replacing Attachment C-Scope of Work and Attachment D- Public Works Maintenance Services Schedule, with no change to the contract term of July 11, 2023, through January 31, 2028.

(Presenter: Brendon Biggs, Director/Chief Flood Control Engineer, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

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 – Transportation (Department) is funded by Gas Tax revenue, fee revenue, and other local, state, federal funding. The San Bernardino County Flood Control District (District) is funded by property tax revenue, fee revenue, and local, state, and federal funding. As these are contracts for on-call services, including routine maintenance services, emergency services, and public projects not exceeding \$60,000 (the amount specified in Public Contract Code Section 22032 (a)) (collectively, Public Works Maintenance Services), the specific projects have not yet been determined. Depending on the project, one of the above funding sources will be used to fund the cost of the contract.

The Department has allocated \$1,500,000 and the District has allocated \$750,000 in their 2023-24 budgets for the projected cost of Public Works Maintenance Services. The total contract amount assigned to each contractor listed in Recommendation Nos. 1.a. and 2.a. is \$2,000,000 for the Department as well as the District; however, total annual contract expenditures will be limited to the budgeted funds and will not exceed the annual budgeted amount of amount of \$1,500,000 for the Department and \$750,000 for the District for 2023-24. The Department and the District will include sufficient appropriation in future recommended budgets for Public Works Maintenance Services.

In the event of an emergency, the Department and District will initially finance emergency costs from their annual budget appropriation. Subsequently, both the Department and the District will

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submit reimbursement claims to the California Emergency Management Agency, the Federal Highway Administration, and the Federal Emergency Management Agency, as may be applicable.

BACKGROUND INFORMATION

The Department and the District can call upon a list of pre-approved contractors to provide Public Works Maintenance Services. Contractors on the pre-approved list may be utilized for routine maintenance projects, public projects not exceeding \$60,000, and emergency projects (following applicable provisions of the Public Contract Code). Requesting qualifications from contractors before projects or emergencies occur reduces delay in the procurement process, which supports the goal of operating in a fiscally-responsible and business-like manner, as well as providing for the safety of county residents.

As projects are identified, the Department and District will contact pre-approved contractors to request bids. The lowest bidder is then selected to provide the requested services for the project. However, conditions other than price are sometimes important and will be considered when necessary. Such conditions will be identified in the request for bids on an individual project. For emergency projects (following provisions of the Public Contract Code), the Department and District contact any contractor directly to promptly respond to such emergencies and the price will be negotiated at the time of contact.

PROCUREMENT

On October 24, 2022, the County Administrative Office (CAO) authorized the release of Request for Qualifications (RFQ) No. PWG 123-OPERA-4710 to solicit and create a list of qualified contractors to provide the Department and District with Public Works Maintenance Services for work performed on County roads and District facilities. In accordance with the terms of the RFQ, the Department and District will be able to augment the list on a semi-annual basis. On February 7, 2023 (Item No. 52), the Board of Supervisors (Board) approved contracts with 13 contractors to provide Public Works Maintenance Services, in the amount of \$2,500,000 each, \$500,000 each annually, for the five-year period of February 7, 2023 through January 31, 2028.

On April 3, 2023, the CAO authorized the release of RFQ No. PWG 123-OPERA-4895 to allow additional contractors not already on the pre-approved list of contractors to provide Public Work Maintenance Services to submit proposals. The Department and District received six proposals. On July 11, 2023 (Item No. 54), the Board approved contracts with the six contractors to provide Public Works Maintenance Services in the amount of \$2,250,000 each, \$500,000 each annually, for the four- and half-year period of July 11, 2023 through January 31, 2028.

On April 24, 2023, the CAO authorized the release of RFQ No. PWG 123-OPERA-4896 to allow additional contractors not already on the pre-approved list of contractors to provide Public Works Maintenance Services to submit proposals. The release made updates to Attachment D- Public Works Maintenance Services Schedule (Attachment D) adding the following services: asphalt maintenance and repair services, fence installation services, and guardrail repair services. The RFQ was released to all vendors who currently have executed contracts for on-call Public Works Maintenance to allow contractors to update Attachment D. The Department and District received updated Attachment D from S Porter Inc., Three Peaks Corp, and Vance Corporation. The proposed amendment will allow S Porter Inc., Three Peaks Corp, and Vance Corporation to bid on these additional services. Additionally, the Department and the District received 10 proposals from new contractors not already on the on-call list. A panel of

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knowledgeable staff from the Department and the District reviewed the proposals submitted and determined all 10 contractors meet the minimum qualifications specified in the RFQ, including types of services, service locations, and compliance with Department and District terms and conditions.

The RFQ shall remain open through March 2027 with semi-annual deadlines for proposal submission. The Department and the District will return to the Board for approval of subsequent pre-approved vendors.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest and Sophie A. Curtis, Deputies County Counsel, 387-5455) on December 6, 2023; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on November 14, 2023; Finance (Carl Lofton, Administrative Analyst, 387-5404) on December 1, 2023; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on December 4, 2023.

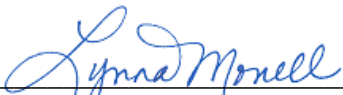
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Record of Action of the Board of Supervisors
San Bernardino County Flood Control District
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 19, 2023



cc: PW - Basta w/ agrees
Contractor c/o PW w/ agree
File w/ agree
JLL 12/28/2023