

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BODY OF THE FOLLOWING:
SAN BERNARDINO COUNTY
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

August 6, 2024

FROM

NOEL CASTILLO, Director and Chief Flood Control Engineer, Department of Public Works-Transportation and Flood Control District

SUBJECT

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

RECOMMENDATION(S)

1. Acting as the governing body of San Bernardino County:
 - a. Approve contracts for on-call services including routine maintenance services, emergency services, and public projects not exceeding \$60,000, in the amount of \$1,750,000 each, for the period of August 6, 2024, through January 31, 2028, with the following two contractors:
 - i. Global Customer Services, Inc. **(Agreement No. 24-699)**
 - ii. Onyx Paving Company, Inc. **(Agreement No. 24-700)**
 - b. Approve **Amendment No. 1 to Contract No. 23-79** with M. Brey Electric dba MBE Construction adding Senate Bill 1439 contractor information and revising Attachments C (Scope) and D (Schedule), with no changes to the contract amount of \$2,500,000, or the term of February 7, 2023 through January 31, 2028.
2. Acting as the governing body of San Bernardino County Flood Control District:
 - a. Approve contracts for on-call services including routine maintenance services, emergency services, and public projects not exceeding \$60,000, in the amount of \$1,750,000 each, for the period of August 6, 2024, through January 31, 2028, with the following two contractors:
 - i. Global Customer Services, Inc. **(Agreement No. 24-701)**
 - ii. Onyx Paving Company, Inc. **(Agreement No. 24-702)**
 - b. Approve **Amendment No. 1 to Contract No. 23-93** with M. Brey Electric dba MBE Construction adding Senate Bill 1439 contractor information and revising Attachments C (Scope) and D (Schedule), with no changes to the contract amount of \$2,500,000, or the term of February 7, 2023 through January 31, 2028.

(Presenter: Noel Castillo, 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

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revenue, fee revenue, and other local, state, and 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 total proposed contract amount to be assigned to each contractor is \$1,750,000 for the Department and the District, however, total annual contract expenditures will be limited to budgeted funds. Sufficient appropriation and revenue are included in the Department and District's respective 2024-25 budgets, and will be included in future recommended budgets.

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 District will 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 may contact any pre-approved contractor directly to promptly respond to such emergencies and the price will be negotiated at the time of contact.

On October 24, 2022, the Department and District released Request for Qualifications (RFQ) PWG 123-OPERA-4710 through the County's Electronic Procurement Network (ePro) 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. On February 7, 2023 (Item No. 52), the Board of Supervisors (Board) approved contracts with 13 contractors to provide Public Works Maintenance Services for the period of February 7, 2023, through January 31, 2028.

On April 3, 2023, the Department and District released RFQ PWG 123-OPERA-4895. On July 11, 2023 (Item No. 54), the Board approved contracts with six contractors to provide Public Works Maintenance Services from July 11, 2023, through January 31, 2028.

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On April 24, 2023, the Department and District released RFQ PWG 123-OPERA-4896. On December 19, 2023 (Item No. 114), the Board approved contracts with 10 contractors to provide Public Works Maintenance Services from December 19, 2023, through January 31, 2028.

PROCUREMENT

On April 10, 2024, the Department and District released RFQ PWG 124-OPERA-5290 and received two proposals from contractors not already on the on-call list and an updated Attachment D was submitted by M. Brey Electric dba MBE Construction (MBE Construction), a vendor already on the on-call pre-approved list. The proposed Amendment No. 1 (Amendment) will allow MBE Construction to bid on additional services. The Department and the District, therefore, recommend contracts with the two new vendors identified, as well as the Amendment to MBE Construction Contract No. 23-79 and District Contract No. 23-93. Approval of this item will bring the total number of approved contractors to 31.

The RFQ shall remain open through March 2027 with semi-annual deadlines for proposal submission. The Department and 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 July 11, 2024; Purchasing (Michael Candelaria, Lead Buyer, 387-8258) on June 26, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on July 19, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on July 22, 2024.

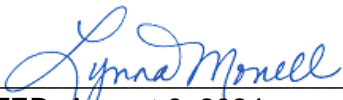
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Record of Action of the Board of Supervisors
San Bernardino County Flood Control District
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 6, 2024



cc: PW - Basta w/ agrees
Contractor c/o PW w/ agree
File w/ agree

JLL 08/7/2024