

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

May 5, 2026

FROM

NOEL CASTILLO, Chief Flood Control Engineer, Flood Control District

SUBJECT

Construction Contract for the West Fontana Channel Improvement Project in the Fontana Area

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Flood Control District:

1. Approve the following addenda to the bid documents for the West Fontana Channel Improvement Project in the Fontana area:
 - a. Addendum No. 1, issued on March 17, 2026;
 - b. Addendum No. 2, issued on March 25, 2026; and
 - c. Addendum No. 3, issued on April 2, 2026.
2. Consent to the withdrawal of bid by Horizons Construction Company International, Inc., due to a material mathematical calculation mistake in its bid, as allowed under Public Contract Code sections 5101 and 5103.
3. Award Construction **Contract No. 26-309** to Ames Construction, Inc., in the amount of \$19,192,621 for the West Fontana Channel Improvement Project in the Fontana area.
4. Authorize a contingency fund of \$1,919,262 for the West Fontana Channel Improvement Project in the Fontana area.
5. Authorize the Chief Flood Control Engineer of the San Bernardino County Flood Control District to approve the expenditure of the contingency fund of \$1,919,262 for verified quantity overruns for this unit priced construction contract.
6. Authorize the Chief Flood Control Engineer of the San Bernardino County Flood Control District to order any necessary changes or additions in the work being performed under the contract for a total amount not to exceed \$150,000 of the \$1,919,262 contingency fund, pursuant to Public Contract Code section 21061(d).
7. Authorize the Chief Flood Control Engineer of the San Bernardino County Flood Control District to accept the work when 100% complete and execute and file the Notice of Completion.

(Presenter: Noel Castillo, Chief Flood Control Engineer, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote and Fulfill the Countywide Vision.

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 West Fontana Channel Improvement Project in the Fontana area (Project) is partially funded with a federal passthrough grant of \$5,332,732; the remainder of the Project is funded by property tax revenue. Sufficient appropriation and revenue are included in the San

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Bernardino County Flood Control District's (District) 2025-26 Zone 1 budget (1910002518 F02612).

BACKGROUND INFORMATION

The Project consists of constructing approximately 3,000 linear feet of reinforced concrete rectangular and trapezoidal channels, reinforced concrete boxes, and associated structures such as headwalls, wing walls, and cutoff walls. The work also includes installation of rock and concrete drop structures, site preparation, grading and excavation, removal of existing pavement, fencing and utility work, and installation of new culverts and related appurtenances. Access roads and ramps will be built to support long-term maintenance. This Project advances the completion of the ultimate channel system from Banana Basin to Hickory Basin, strengthening regional flood control capacity and infrastructure resilience.

On July 28, 2020 (Item No. 68), the Board of Supervisors (Board) adopted an Initial Study (IS) and Mitigated Negative Declaration (MND) for the Project in accordance with the California Environmental Quality Act (CEQA), and a Notice of Determination was filed and posted on July 29, 2020, with the Clerk of the Board. No timely CEQA challenge was filed.

In addition to the CEQA finding, to encourage finishing the Project ahead of schedule, the plans and specifications offer an incentive of extra compensation for early completion. Pursuant to Government Code section 53069.85, the Contractor may receive \$10,000 per calendar day for each day the Work is completed ahead of the specified Time of Completion, up to a maximum of 30 days, for total additional compensation not to exceed \$300,000.

This Project will have a 10 percent contingency fund of \$1,919,262 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 21061(d) allows the Board to authorize the Chief Flood Control Engineer 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 \$150,000 of the \$1,919,262 contingency fund.

Following Board approval of this item, construction is anticipated to commence in approximately June 2026 and be completed by February 2027, with a construction completion date of 120 working days from the date of issuance of the Notice to Proceed for the West Fontana Channel Improvement Project in the Fontana Area.

PROCUREMENT

On March 2, 2026, pursuant to County Policy No. 11-15, the Assistant Executive Officer approved the Project's plans and specifications, as well as authorized the Chief Flood Control Engineer to advertise the Project for bids. This Project was advertised in the San Bernardino County Sun newspaper on March 3, 2026, and released on the County electronic procurement network (ePro) on March 4, 2026. Notice inviting bids were also provided to specified construction trade journals identified pursuant to Public Contract Code section 22036.

The following addenda were issued during the bidding phase.

- Addendum No. 1: Amended the project plan set and special provision
- Addendum No. 2: Revised the bid opening date and time, amended the project plan set and special provision, and provided answers to questions asked

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Addendum No. 3: Amended the bid tabulation and plan sheets, and provided answers to questions asked

On April 9, 2026, the following three bids were received:

Contractor	Location	Total Bid
Ames Construction, Inc.	Corona, CA	\$19,192,621
Riverside Construction Company, Inc.	Riverside, CA	\$21,356,756
Horizons Construction Company International, Inc.	Orange, CA	Bid Withdrawn

On April 9, 2026, the District received a letter from Horizons Construction Company International, Inc. (Horizons), requesting to withdraw its bid, due to a clerical and material mathematical calculation error. Horizons provided supplemental materials on April 10, 2026, including worksheets and a comparison showing that certain unit prices were not calculated correctly. District staff reviewed the request and determined it was timely under Public Contract Code section 5103(b) and included sufficient detail explaining how the error occurred. The materials support that a clerical mistake was made in preparing the bid, that the mistake materially affected the bid amount, and that the error was due to a calculation issue rather than judgment. The size of the discrepancy, an approximately \$3.4 million dollar difference, indicates that enforcing the bid would be inequitable. Pursuant to Public Contract Code section 5101(b), this report documents the relevant facts for the Board's consideration of whether the requirements for bid relief have been met and permitting withdrawal of the bid.

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

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on April 13, 2026; Purchasing (Dylan Newton, Buyer III, 387-3377) on April 14, 2026; and County Finance and Administration (Kathleen Gonzalez, Administrative Analyst, 387-5412) on April 15, 2026.

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

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: May 5, 2026



cc: Flood - Silao w/agree
Contractor - c/o Flood w/agree
File - w/agree
MBA 05/5/2026