

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

January 14, 2025

FROM

NOEL CASTILLO, Director, Department of Public Works – Transportation

SUBJECT

Contract with Onyx Paving Company, Inc. for the Southeast Del Rosa Area Americans with Disabilities Act Ramps Project in the Highland Area

RECOMMENDATION(S)

1. Approve the revised Special Provisions for the Southeast Del Rosa Area Americans with Disabilities Act Ramps Project.
2. Approve Addendum No. 1, issued on October 18, 2024, to the bid documents for the Southeast Del Rosa Area Americans with Disabilities Act Ramps Project.
3. Award construction **Contract No. 25-05** to Onyx Paving Company, Inc. (Anaheim, CA), in the amount of \$1,211,000 for the Southeast Del Rosa Area Americans with Disabilities Act Ramps Project.
4. Authorize a contingency fund of \$121,100 for the Southeast Del Rosa Area Americans with Disabilities Act Ramps Project.
5. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$121,100 for verified quantity overruns for this unit priced construction contract.
6. 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 \$73,050 of the \$121,100 contingency fund, pursuant to Public Contract Code section 20142.
7. Authorize the Director of the Department of Public Works to accept the work when 100% complete and execute and file the Notice of Completion.
8. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments to the Department of Public Works 2024-25 budget, as detailed in the Financial Impact section (Four votes required).

(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 additional Discretionary General Funding (Net County Cost). The Southeast Del Rosa Area Americans with Disabilities Act (ADA) Ramp Project in the Highland Area (Project) will be funded by a use of the County Infrastructure General Fund Reserve. The allocation of \$1,332,100 for the Project will fund the construction cost and construction contingency of the Project.

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The following 2024-25 budget adjustments are requested:

Fund/Cost Center	Commitment Item/G/L Account	Description	Amount	Action
1000	37008390	Fund Balance – Committed -County Infrastructure Reserve	\$1,332,100	Decrease
1161161000	55305030	Operating Transfers Out	\$1,332,100	Increase
6650002000	40909975	Operating Transfers In	\$1,332,100	Increase
6650002000	52002445	Other Professional & Specialized Services	\$1,332,100	Increase

BACKGROUND INFORMATION

The Project involves constructing new curb ramps and replacing existing curb ramps at 42 locations in the Del Rosa area in accordance with current design standards and pursuant to the ADA guidelines. Other improvements include the reconstruction of sidewalks, driveways, spandrels, cross gutters, and minor street improvements, as needed, at various locations. Certain areas will also require root pruning and the installation of a 24-inch root barrier to protect sidewalks from future damage. All work for the Project will be done within the existing right-of-way.

The Department’s environmental staff has reviewed this Project and determined that a categorical exemption in accordance with the California Environmental Quality Act (CEQA) Guidelines, Title 14 of the California Code of Regulations, Section 15301(c) Class 1 and Section 15302(c) Class 2 is appropriate. The Class 1 exemption allows for repair and maintenance activities on existing roads, sidewalks, gutters, and similar facilities that involve negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Class 2 exemption allows for the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

On September 10, 2024 (Item No. 57), 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 of Supervisors to file and post said notice, which was posted on September 16, 2024.

The Special Provisions included in the approved plans and specifications referenced the 2015 Caltrans Standard Plans. However, for this Project, the reference for approval and incorporation should be to the 2018 Caltrans Standard Plans.

This 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.

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

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PROCUREMENT

On September 10, 2024 (Item No. 57), 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 County Sun newspaper on October 15, 2024, and released on the County electronic procurement network (ePro) on October 15, 2024. Notice inviting bids was also provided to specified construction trade journals identified pursuant to Public Contract Code section 22036. On November 14, 2024, the following six bids were received:

Contractor	Location	Total Bid
Onyx Paving Company, Inc.	Anaheim, CA	\$1,211,000
All American Asphalt	Corona, CA	\$1,224,157
Kalban, Inc.	Santa Clarita, CA	\$1,357,425
Gentry General Engineering, Inc.	Colton, CA	\$1,476,378
Hardy & Harper, Inc.	Lake Forest, CA	\$1,675,000
DM Contracting, Inc.	Colton, CA	\$1,717,350 (Non-Responsive)

The following addendum was issued on October 18, 2024, during the bidding phase.

Addendum No. 1 - Amended the Special Provisions, revised the bid sheet, page four.

Upon receipt of bids, the Department determined that the bid submission from DM Contracting, Inc., was non-responsive because the bid proposal was not signed as required.

The Department reviewed the remaining five bids received and determined that they are responsive and recommends entering into a contract with Onyx Paving Company, Inc., the lowest responsive and responsible bidder. No appeal/protest letters were received.

This Project will have a ten percent contingency fund of \$121,100 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 \$73,050 of the \$121,100 contingency fund.

REVIEW BY OTHERS

This item has been reviewed by County Counsel Aaron Gest, Deputy County Counsel, 387-5455) on December 10, 2024; Purchasing (Michael Candelaria, Lead Buyer, 387-8258) on November 19, 2024; Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Auditor-Controller Manager, 382,7022) on January 9, 2025; Finance (Kathleen Gonzalez, 387-5412, and Penelope Chang, 387-4886, Administrative Analysts) on January 6, 2025; and County Finance and Administration (Paloma Hernandez-Barker and Stephenie Shea, Deputy Executive Officers, 387-5423) on December 27, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County

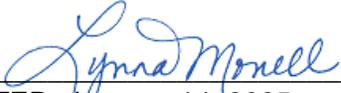
APPROVED (CONSENT CALENDAR)

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: January 14, 2025



cc: PW/Trans - Silao w/agree
Contractor - c/o PW/Trans w/agree
File - w/agree

MBA 01/15/2025