

**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 – Solid Waste Management

SUBJECT

Contract with H&H General Contractors, Inc. for the North Scale House Improvement Project at the Mid-Valley Sanitary Landfill

RECOMMENDATION(S)

1. Approve Addendum No. 1 issued on March 28, 2023, Addendum No. 2 issued on April 27, 2023, Addendum No. 3 issued on June 23, 2023, and Addendum No. 4 issued on July 13, 2023, to the bid documents for the North Scale House Improvement Project at the Mid-Valley Sanitary Landfill.
2. Award a construction **Contract No. 24-214** in the amount of \$1,189,143 to H&H General Contractors, Inc. (Highland, CA) for the construction of the North Scale House Improvement Project at the Mid-Valley Sanitary Landfill.
3. Authorize a contingency fund of \$118,914 for the North Scale House Improvement Project at the Mid-Valley Sanitary Landfill.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$118,914 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 \$71,957 of the \$118,914 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

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) as the Department of Public Works – Solid Waste Management Division (SWMD) establishes fees charged to the public and other agencies for utilizing the County's Waste Disposal System. The construction contract cost of \$1,189,143 and any use of the proposed contingency fund for the North Scale House Improvement Project at the Mid-Valley Sanitary Landfill (Project) will be funded by SWMD fee revenue. Sufficient appropriation and revenue have been included in the SWMD 2023-24 budget and will be included in future recommended budgets.

**Contract with H&H General Contractors, Inc. for the North Scale House Improvement Project at the Mid-Valley Sanitary Landfill
March 12, 2024**

BACKGROUND INFORMATION

The County's Mid-Valley Sanitary Landfill (MVSL) is located in the City of Rialto, northwest of the intersection of Alder Avenue and State Route 210. The site occupies approximately 448 acres of which 408 are permitted for refuse disposal. The Project consists of constructing a new scale house, upgrading scale transaction equipment, and removal and replacement of asphalt pavement with minor grading to improve stormwater drainage. This Project will improve customer service and the flow of traffic by increasing the number of transaction windows and upgrading scale transaction equipment that will reduce wait times at the scales.

On October 25, 2022 (Item No. 62), the Board of Supervisors (Board) approved the plans and specifications for the North Scale House Improvement Project and found that the Project was exempt under the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations Section 15301(c) Class 1 (existing facilities) and Section 15302(c) Class 2 (replacement or reconstruction).

This item supports the County and the Chief Executive Officer's goals and objectives of providing for the safety, health, and social service needs of County residents by operating in a responsible manner to provide continued disposal services.

PROCUREMENT

On October 25, 2022 (Item No. 62), the Board approved plans and specifications for the Project and authorized the Director of the Department of Public Works (Department) to advertise the Project for bids. The Project was advertised on November 3 and 10, 2022; and on December 8, 2022, SWMD received four bids for the Project. Upon review of the bids, SWMD found variances, irregularities, and errors in the bid proposals submitted. On March 14, 2023 (Item No. 37), the Board rejected all bids received for the Project on December 8, 2022, and approved revised plans and specifications. The Project was re-advertised on March 28, 2023, and on April 4, 2023, in the Daily Press and the Precinct Reporter. There were four addendums issued during the bidding process, revising the Project plans and specifications as follows:

- Addendum No. 1 amended the mandatory pre-bid meeting from March 23, 2023, to April 13, 2023, and amended the bid opening date from April 20, 2023, to May 4, 2023.
- Addendum No. 2 amended the deadline for questions to June 12, 2023, and amended the bid opening date from May 4, 2023, to June 28, 2023.
- Addendum No. 3 amended the bid opening from June 28, 2023, to July 20, 2023, amended the deadline for questions to July 10, 2023, provided revised Plan sheets C-100, C-103, C-501 and E-101, and provided an updated bid schedule adding bid item 23A. Additionally, it revised the bid item 24, "Trenching per Sheet E101" due to unforeseen utilities that were found during a site survey which caused some re-routing of the proposed electrical conduit call-out in sheet E101.
- Addendum No. 4 provided responses to bidder questions.

On July 20, 2023, two bids were received:

Contractor	Location	Total Bid
H&H General Contractors, Inc.	Highland, CA	\$1,189,142.50

**Contract with H&H General Contractors, Inc. for the North Scale House Improvement Project at the Mid-Valley Sanitary Landfill
March 12, 2024**

Angeles Contractor, Inc.	City of Industry, CA	\$1,077,000.00 (Non-Responsive)
--------------------------	----------------------	---------------------------------

Upon review of the two bids, SWMD found Angeles Contractor, Inc.'s bid to be non-responsive due to the failure to acknowledge all issued addendums as required by the Bid Proposal Checklist and Assembly and Section III.E. in the instructions to Bidders. The affected bidder was provided with a notice of the County's intent to reject its bid. In accordance with Public Contract Code Section 22038(b), SWMD recommends that the Board award the construction contract to H&H General Contractors, Inc., the lowest responsive and responsible bidder. No appeal/protest letters were received.

This Project will have a 10 percent contingency fund of \$118,914 to compensate the contractor for verified quantity overruns, as well as changes in the contract under specific circumstances permitted by the contract or by law. Under an established formula based on the contract amount, Public Contract Code section 20142 allows the Board to authorize the Director of the Department to order changes in the contract, including for unforeseen conditions or design shortfalls, should changes become necessary in the future, for a total amount not-to-exceed \$71,957 of the \$118,914 contingency fund.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on December 19, 2023; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on February 12, 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.

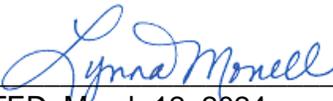
**Contract with H&H General Contractors, Inc. for the North Scale House
Improvement Project at the Mid-Valley Sanitary Landfill
March 12, 2024**

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, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: March 12, 2024



cc: PW/SWMD - Meeka w/agree
Contractor - c/o PW/SWMD w/agree
File - w/agree
CCM 03/18/2024