

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

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
AND RECORD OF ACTION**

August 8, 2023

FROM

DON DAY, Director, Project and Facilities Management Department

DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District

SUBJECT

Award Construction Contract with Oakview Constructors, Inc. for the County Fire Station 226 New Build Project in San Bernardino

RECOMMENDATION(S)

1. Acting as the governing body of San Bernardino County:
 - a. Approve a budget increase of \$3,162,819 to Capital Improvement Program Project No. 21-037, from \$7,000,000 to \$10,162,819, for the County Fire Station 226 New Build Project located at 1920 Del Rosa Avenue in San Bernardino (Four votes required).
 - b. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments within the Capital Improvement Program, as detailed in the Financial Impact section (Four votes required).
2. Acting as the governing body of the San Bernardino County Fire Protection District:
 - a. Approve the following addenda to the bid documents for County Fire Station 226 New Build Project:
 - i. Addendum No. 1 dated January 26, 2023, revised the bid opening date and updated Construction Drawings.
 - ii. Addendum No. 2 dated March 8, 2023, revised the Technical Specifications, Bid Documents, bid opening date, and Construction Drawings, and clarified contractor's questions.
 - iii. Addendum No. 3 dated March 23, 2023, revised the virtual bid opening link, Bid Documents and bid opening date.
 - iv. Addendum No. 4 dated April 21, 2023, revised the bid opening date, virtual bid opening link and Bid Documents.
 - v. Addendum No. 5 dated April 21, 2023, revised the bid opening date, virtual bid opening link and Bid Documents.
 - vi. Addendum No. 6 dated May 23, 2023, revised the Construction Drawings, Technical Specifications, Water Quality Management Plan and the Stormwater Pollution Prevention Plan.
 - b. Find Oakview Constructors, Inc.'s Bid Proposal to be responsive.
 - c. Award a construction **Contract No. 23-835** in the amount of \$7,682,000 to Oakview Constructors, Inc., for a contract period of 365 calendar days from the date of the issuance of the Notice to Proceed for the County Fire Station 226 New Build Project.

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- d. Authorize the Director of the Project and Facilities Management Department to order any necessary changes or additions in the work being performed under the contract for a total amount not to exceed \$210,000 pursuant to Public Contract Code Section 20142.
- e. Authorize the Director of the Project and Facilities Management Department to accept the work when 100% complete and execute and file a Notice of Completion.

(Presenter: Don Day, Director, 387-5000)

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 County Fire Station 226 New Build Project (Project) (WBSE 10.10.1032), with a total budget of \$10,162,819, will be funded by the San Bernardino County Fire Protection District (SBCFPD) through its Valley Regional Service Zone (5802262434). The Project's funding includes \$3,500,000 received from the San Manuel Band of Mission Indians in 2018. Sufficient appropriation for the Project is available in SBCFPD's 2023-24 budget. The following budget adjustments are necessary to increase the San Bernardino County Capital Improvement Program (CIP) budget for this Project:

Cost Center	Commitment Item/GL	Description	Action	Amount	WBSE
7700003100	54304030	Improvements to Structure	Increase	\$3,162,819	10.10.1032
7700003100	55415017	Fixed Assets Transfers In	Increase	\$3,162,819	10.10.1032

The Project is comprised of the following components:

Description	Amount
Project Design	\$644,139
Project Management, Inspection, and Testing	\$883,840
Construction	\$7,682,000
Construction Contingency	\$768,200
Project Contingency	\$184,640
Total Project Budget	\$10,162,819

BACKGROUND INFORMATION

SBCFPD provides emergency services to the City of San Bernardino (City) and other surrounding jurisdictions. Fire Station 226 located in the City was constructed in the 1950s and has been utilized to provide emergency services since its construction. The current facility is limited in its ability to provide modern fire service operations and no longer meets current building codes and safety standards, which have changed significantly since its construction.

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Approval of the recommended actions will allow the Project and Facilities Management Department – Project Management (PFMD) to proceed with the construction of the County Fire Station 226 New Build in the City. The budget increase is required due to SBCFPD requesting a change from the original two-apparatus bay design of 8,926 square-feet to a three-apparatus bay design of 10,267 square-feet. The augmentation to the scope of work added approximately 1,341-square-foot of space to the construction drawings included in the bid documents advertised on January 13, 2023. On June 1, 2023, PFMD opened bids reflecting the new scope, with the lowest apparent bid of \$7,682,000.

The Project will construct a new fire station and demolish the existing 4,300-square-foot fire station. Completion of the new, larger, modern station will enable SBCFPD to provide expanded emergency services and maintain public safety to the areas it serves, supporting the County and SBCFPD's goals and objectives to operate in a fiscally responsible and business-like manner and provide for the safety, health, and social services needs of County residents.

On January 10, 2023 (Item No. 55), Board of Directors (Board) determined the Project to be categorically exempt from further review under Section 15332, Class 32, In Fill Development Projects of the California environmental Quality Act Guidelines (CEQA) (Title 14, California Code of Regulations). As evidenced by the Notice of Exemption, Section 15332 provides categorical exemption for the Project as its site is less than five acres and is located within city or urbanized limits; the site has no habitat or other value. Approval of the Project would not result in any significant environmental effects relating to traffic, noise, air quality, or water quality, and the Project site can be serviced by available utilities.

The Project is consistent with County Administrative Office Approved CIP Request No. 21-037.

PROCUREMENT

On January 10, 2023 (Item No. 55), the Board authorized PFMD to advertise for competitive bids. PFMD advertised for bids in the Daily Press on January 13, 2023, six Plan Rooms and on the County Electronic Procurement Network (ePro). On February 15, 2023, 24 contractors attended a mandatory job walk.

During the procurement process, the following addenda to the bid documents were issued:

- On January 26, 2023, Addendum No. 1 was issued to revise the bid opening date and update Construction Drawings.
- On March 8, 2023, Addendum No. 2 was issued to revise the Technical Specifications, Bid Documents, bid opening, and Construction Drawings, and provide clarifications to contractor's questions.
- On March 23, 2023, Addendum No. 3 was issued to revise the virtual bid opening link, Bid Documents, and bid opening date.
- On April 21, 2023, Addendum No. 4 was issued to revise the bid opening date, virtual bid opening link, and Bid Documents.
- On April 21, 2023, Addendum No. 5 was issued to revise the bid opening date, virtual bid opening link and Bid Documents.
- On May 23, 2023, Addendum No. 6 was issued to revise construction drawings, technical specifications, Water Quality Management Plan and Stormwater Pollution Prevention Plan.

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On June 1, 2023, the following bids were received:

Name	Location	Bid
Oakview Constructors, Inc.	Calimesa, CA	\$7,682,000
Robert Clapper Construction Services, Inc.	Redlands, CA	\$7,698,000
Act 1 Construction Inc.	Norco, CA	\$8,220,000
Tovey/Shultz Construction Inc.	Lake Elsinore, CA	\$8,400,000
Newman Midland Corp.	Long Beach, CA	\$8,613,440
PCN3, Inc.	Los Alamitos, CA	\$8,898,000
Kemcorp Construction Inc.	Ontario, CA	\$8,995,000
Dalke & Sons Construction, Inc.	Riverside, CA	\$9,748,480
Lifetime Industries Inc., DBA Parkwest	Redlands, CA	\$9,869,000
CABD Construction Inc.	Sun Valley, CA	\$9,950,000

PFMD received two bid protests on June 7, 2023, the first from Act 1 Construction Inc. (Act 1), and the second from Robert Clapper Construction Services, Inc. Both argued that Oakview Constructors, Inc. (Oakview), was nonresponsive as it had failed to list a subcontractor for the work related to the vehicle exhaust system in its Bid Proposal, as required by the Bid Documents. PFMD considered the protest and found there was no error in Oakview's bid as Oakview had listed subcontractor Arrowhead Mechanical, Inc., and Arrowhead Mechanical, Inc., had included the vehicle exhaust system in its quote by virtue of an estimation from a third tier subcontractor. Pursuant to Public Contract Code Section 4104, third tier subcontractors are not required to be listed in a bid. Further, Act 1 claimed that Oakview had failed to list a subcontractor for the thermoplastic membrane roofing work in its Bid Proposal as required by the Bid Documents. PFMD considered this claim and found there was no error in Oakview's bid as the work accounted for less than one-half of one percent of the work, and so pursuant to Public Contract Code Section 4104, Oakview was not required to list a subcontractor for this work.

PFMD recommends the Board award the construction contract to Oakview, the lowest responsive and responsible bidder.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, and Scott M. Runyan, Principal Assistant County Counsel, 387-5455) on July 14, 2023; SBCFPD (Bertral Washington, Deputy Fire Chief, 387-5974) on July 17, 2023; Purchasing (Leo Gomez, Supervising Buyer, 387-2063) on July 7, 2023; Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, ATC Manager, 382-7022) on July 7, 2023; PFMD (Robert Gilliam, Chief of Project Management, 387-5000) on July 18, 2023; Finance (Yael Verduzco, Principal Administrative Analyst, 387-5285) on July 24, 2023; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on July 24, 2023.

(BL: 909 361-7215)

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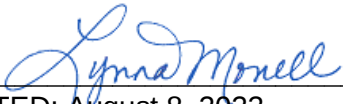
Record of Action of the Board of Supervisors
San Bernardino County

Record of Action of the Board of Directors
San Bernardino County Fire Protection 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/SECRETARY

BY 
DATED: August 8, 2023



cc: SDD/SBCFPD- Hughes w/agree
 Contractor- C/O SBCFPD w/agree
 File- w/agree w/attach
LA 08/9/2023