

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BOARD OF THE FOLLOWING:
SAN BERNARDINO COUNTY
BOARD GOVERNED COUNTY SERVICE AREAS
AND RECORD OF ACTION**

September 10, 2024

FROM

NOEL CASTILLO, Director, Department of Public Works – Special Districts

SUBJECT

Construction Contract and Related Actions for the County Service Area 70 R-9 Rim Forest Road Paving Project

RECOMMENDATION(S)

1. Acting as the governing body of County Service Area 70 R-9 Rim Forest:
 - a. Adopt **Resolution No. 2024-137** that accepts a loan, and states the necessity for borrowing, from the County Service Area Revolving Loan Fund, in order to fund the County Service Area 70 R-9 Rim Forest Road Paving Project, including interest at the rate earned by the County's pooled investments as determined by the County's Auditor-Controller/Treasurer/Tax Collector, being repaid within 10 years of disbursement, in the amount of \$51,000 (Four votes required).
 - b. Approve \$51,000 increase to the County Service Area 70 R-9 Rim Forest Road Paving Project, from \$369,500 to \$420,500.
 - c. Authorize the Auditor-Controller/Treasurer/Tax Collector to post 2024-25 budget adjustments, as indicated in the Financial Impact section, for the County Service Area 70 R-9 Rim Forest Road Paving Project (Four votes required).
 - d. Approve Addendum No. 1, issued on July 24, 2024, to the bid documents for the County Service Area 70 R-9 Rim Forest Road Paving Project.
 - e. Award construction **Contract No. 24-891** to Tryco General Engineering, in the amount of \$438,802, for the County Service Area 70 R-9 Rim Forest Road Paving Project.
 - f. Approve **Amendment No.1 to Contract No. 24-891** with Tryco General Engineering for the County Service Area 70 R-9 Rim Forest Road Paving Project, reducing the contract amount by \$45,442, from \$438,802 to \$393,360, with no changes to the original contract term.
 - g. Authorize a contingency fund in the amount of \$15,358 for the County Service Area 70 R-9 Rim Forest Road Paving Project.
 - h. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund in the amount of \$15,358 for verified quantity overruns for this unit-priced construction contract.
 - i. Authorize the Director of the Department of Public Works to order any necessary changes or additions in the work being performed under the construction contract with Tryco General Engineering, for the total not-to-exceed amount of \$15,358, pursuant to Public Contract Code Section 20142.
 - j. Authorize the Director of the Department of Public Works to accept the work when 100% complete and execute and file the Notice of Completion.

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2. Acting as the governing body of San Bernardino County:
 - a. Adopt Resolution approving a loan from the County Service Area Revolving Loan Fund for the County Service Area 70 R-9 Rim Forest Road Paving Project, including interest at the rate earned by the County’s pooled investments as determined by the County’s Auditor-Controller/Treasurer/Tax Collector, being repaid within 10 years of disbursement, in the amount of \$51,000.
 - b. Authorize the Auditor-Controller/Treasurer/Tax Collector to record the \$51,000 loan from the County Service Area Revolving Loan Fund (1040) to County Service Area 70 R-9 Rim Forest (1588).

(Presenter: Noel Castillo, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

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 Discretionary General Funding (Net County Cost).

The County Service Area R-9 Rim Forest (District) is funded by special assessments on property owners within the District. The County Service Area 70 R-9 Rim Forest Road Paving Project (Project) includes \$393,360 for the amended cost of the recommended construction contract with Tryco General Engineering and \$15,358 for the Project’s contingency fund, for a total Project budget of \$408,718.

The Project is being funded by loans from the County Service Area Revolving Loan Fund (1040). The first loan was approved by the Board of Supervisors (Board) on November 14, 2023 (Item No. 91), in the amount of \$369,500, and an additional loan of \$51,000 is being requested for the difference between the original loan and the total contract cost, including project management services for the Project.

The following 2024-25 budget adjustments to the District’s Operating Fund are needed to proceed with the Project:

Fund Center	Commitment Item	Description	Action	Amount
2600001588	40909985	Long-Term Debt Proceeds	Increase	\$51,000
2600001588	54104010	Improvements to Land	Increase	\$51,000

Sufficient appropriation will be included in future recommended budgets as necessary.

BACKGROUND INFORMATION

The District was formed in 1983 to provide road maintenance and snow removal services for 38 parcels in Rim Forest. The annexation of 39 additional parcels in 1989 and 64 additional parcels in 1990 created the current District boundaries.

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The Project proposes to pulverize and repave approximately 5,134 linear feet of existing roadways along Lakeview Drive, Hazel Place, Park Place, Scenic Way, Valley View Drive, and Scenic Place in the Rim Forest area.

This item seeks Board approval to award a construction contract for the Project in the amount of \$438,802. However, this item also seeks approval of Amendment No. 1 (Amendment) to immediately reduce the contract amount by \$45,442, from \$438,802 to \$393,360, with no changes to the original contract term. The Amendment is needed for the Project to be constructed within the available funding limits and completed before the winter season arrives. Tryco General Engineering agreed to lower the cost of material and eliminate scope that was no longer needed to assist with the District's budget constraints, allowing the Project to proceed.

On July 9, 2024 (Item No. 56), the Board determined the Project was exempt under the California Environmental Quality Act and directed the Department of Public Works (Department) to file and post the Notice of Exemption.

PROCUREMENT

On July 9, 2024 (Item No. 56), the Board approved the Project's specifications and authorized the Director of the Department to advertise the Project for bids. On July 11, 2024, in accordance with Public Contract Code Sections 22037, the Department advertised the Project for bids through the County's Electronic Procurement Network (ePro). On July 11, 2024 and July 17, 2024, the Department advertised the Project in the San Bernardino County Sun newspaper.

During the bidding process, the following addendums were issued:

- Addendum No. 1: Replaced pages AB-1 and AB-2 of the Advertisement for Bids, Updated pages BP-1 through BP-9 of the Bid Proposal, Updated pages TS-1 through TS-15 of the Technical Specifications, and provided a copy of the mandatory pre-bid meeting sign-in sheet.

On July 18, 2024, a total of three contractors attended a mandatory pre-bid site meeting. On July 29, 2024, the following two bids were received:

Contractor Name	Base Bid Amount	Additive No. 1 Bid Amount	Total Bid Amount
Tryco General Engineering	\$391,940.00	\$46,862.00	\$438,802.00
Altmeyer, Inc.	\$568,190.75	\$76,765.88	\$644,956.63

The Department reviewed the bids received for the Project and determined all bids to be responsive. The Department recommends that the Board award the construction contract to Tryco General Engineering, as the lowest responsive and responsible bidder. No appeal/protest letters were received.

The lowest bidder was determined, pursuant to Public Contract Code Section 20103.8(b), by the lowest total of the Base Bid amount plus the amount of Additive Bid No. 1. The Department has elected to move forward with awarding the Base Bid plus Additive Bid No. 1, for a total contract amount of \$393,360, as modified by the Amendment.

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Public Contract Code section 20142 allows the Board to authorize the Director of the Department to order changes in the contract for unforeseen conditions or design shortfalls, should they become necessary, for a total amount not-to-exceed \$15,358.

Upon Board approval, construction is anticipated to commence in October 2024 and completion is expected by November 2024.

REVIEW BY OTHERS

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Auditor-Controller Manager, 382-7022) on August 27, 2024; County Counsel (Julie Surber, Principal Assistant County Counsel and Sophie Curtis, Deputy County Counsel, 387-5455) on August 27, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on August 28, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on August 29, 2024.

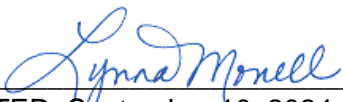
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Record of Action of the Board of Supervisors
San Bernardino County
Board Governed County Service Areas

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: September 10, 2024



cc: BGCSA - Hernandez w/agrees
 Contractor - c/o BGCSA w/agree
 File - w/agree w/resolution
CCM 09/17/2024