

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

**February 8, 2022**

**FROM**

**BRENDON BIGGS, Director, Department of Public Works – Transportation**

**SUBJECT**

Contract with Hardy & Harper, Inc. for the Cactus Avenue and Other Roads Project in the Bloomington Area

**RECOMMENDATION(S)**

1. Approve Addendum No. 1, issued on January 10, 2022, to the bid documents for the Cactus Avenue and Other Roads Project in the Bloomington Area.
2. Award a construction **Contract No. 22-67** to Hardy & Harper, Inc. (Lake Forest, CA) in the amount of \$749,000 for the Cactus Avenue and Other Roads Project in the Bloomington Area.
3. Authorize a contingency fund of \$74,900 for the Cactus Avenue and Other Roads Project in the Bloomington Area.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$74,900 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 \$49,950 of the \$74,900 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: Brendon Biggs, 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 Discretionary General Funding (Net County Cost). The Department of Public Works (Department) is funded by Gas Tax revenue, fee revenue and other state and local funding. The construction contract of \$749,000 and any use of the proposed contingency fund for the Cactus Avenue and Other Roads Project in the Bloomington Area (Project) will be funded with Gas Tax revenue. Sufficient appropriation and revenue are included in the Department's 2021-22 Road Operations budget (6650002000 14H15045).

**BACKGROUND INFORMATION**

The Project consists of removing existing asphalt and placing new asphalt to join the existing lip of gutter on Cactus Avenue and Jurupa Avenue. Other improvements include pavement

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rehabilitation on Hamada Lane, from Farmers Court to Cactus Avenue, and on Farmers Court, from Hamada Lane to end; signing and striping improvements; and replacing existing curb ramps in accordance with current design standards and pursuant to the Americans with Disabilities Act (ADA). All work for the Project will be done within the County's existing right-of-way.

The Project was selected as priority work upon completion of developer required improvements associated with Tract No. 16368 and acceptance of the tract's interior roads into the County Maintained Road System by Board of Supervisors (Board) action on September 21, 2021 (Item No. 31).

On October 26, 2021 (Item No. 49) 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 to file and post said notice.

The Project aligns with the County and the Chief Executive Officer's goals and objectives to ensure the development of a well-planned, balanced, and sustainable County; and to provide for the safety of County residents by improving the structural integrity of existing road surfaces and roadway drainage, and by improving access for all pedestrians.

Following Board approval of this item, construction is anticipated to commence in the beginning of March 2022 and be completed by end of April 2022.

**PROCUREMENT**

On November 16, 2021 (Item No. 54), 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 the Daily Press on December 14, 2021, in the Precinct Reporter on December 16, 2021, and released on the County Electronic Procurement Network (ePro) on December 14, 2021. Notice of inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. On January 13, 2022, the following seven bids were received:

<u>Contractor</u>	<u>Location</u>	<u>Total Bid</u>
Hardy & Harper	Lake Forest, CA	\$749,000.00
Calmex Engineering, Inc.	Bloomington, CA	\$754,909.00
Hillcrest Contracting	Corona, CA	\$773,151.20
All American Asphalt	Corona, CA	\$829,902.39
R. J. Noble Company	Orange, CA	\$847,661.75
Vance Corporation	Bloomington, CA	\$856,574.70
Christensen Brothers	Apple Valley, CA	\$1,138,499.73

The following addendum was issued during the bidding phase.

Addendum No. 1: Changed the bid opening date. Revised bid information on construction of a concrete head wall, updated bid item lists as well as revised quantity and the removal and replacement of a concrete drive approach.

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The Department has reviewed the bids received and determined that they are responsive, and recommends entering into a contract with Hardy & Harper, the lowest responsible bidder. No appeal/protest letters were received.

This Project will have a 10 percent contingency fund of \$74,900 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 \$49,950 of the \$74,900 contingency fund.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on January 13, 2022; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on January 14, 2022; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on January 20 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on January 24, 2022.

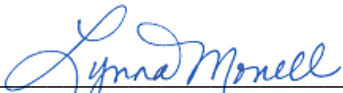
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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: February 8, 2022



cc: PW/Trans - Silao w/agree  
Contractor - C/O PW/Trans w/agree  
File - w/agree w/map w/attach  
CCM 02/9/2022