

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

**November 15, 2022**

**FROM**

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

**SUBJECT**

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

**RECOMMENDATION(S)**

1. Award a construction **Contract No. 22-1087** to Hardy & Harper, Inc. (Lake Forest, CA) in the amount of \$1,150,000 for the Linden Avenue and Other Roads Project in the Rialto area.
  2. Authorize a contingency fund of \$115,000 for the Linden Avenue and Other Roads Project in the Rialto area.
  3. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$115,000 for verified quantity overruns for this unit priced construction contract.
  4. 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 \$70,000 of the \$115,000 contingency fund, pursuant to Public Contract Code section 20142.
  5. 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 Linden Avenue and Others Roads Project in the Rialto area (Project) is funded with Measure I Local Street Program – San Bernardino Valley Subarea funds. Sufficient appropriation and revenue are included in the Department of Public Works (Department) 2022-23 Measure “I” budget (6650002142 14TX1796).

**BACKGROUND INFORMATION**

The Project consists of approximately 1.1 miles of road maintenance and improvements including pavement reconstruction and rehabilitation, sidewalk infill, reconstructing existing curb ramps, in accordance with current design standards and pursuant to the Americans with Disabilities Act (ADA) guidelines, as well as reconstructing spandrels and cross-gutters, along various locations.

All work for the Project will be done within the existing right-of-way.

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On August 24, 2021 (Item No. 36), the Board of Supervisors (Board) authorized the Project as part of the Measure I Local Street Pass-Through Funds Five-Year Capital Improvement Plan Project List for 2021-22 through 2025-26.

On May 10, 2022 (Item No. 33), the Board determined the Project is 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.

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 preserving and improving the structural integrity of existing road surfaces and improving access for all pedestrians, including those with disabilities.

Following Board approval of this item, construction is anticipated to commence the beginning of December 2022 and be completed by the end of February 2023.

**PROCUREMENT**

On August 9, 2022 (Item No. 35), 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 August 30, 2022, in the Precinct Reporter on September 1, 2022, and released on the County Electronic Procurement Network (ePro) on August 30, 2022. Notice inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. On September 29, 2022, the following three bids were received:

<b>Contractor</b>	<b>Location</b>	<b>Total Bid</b>
Hardy & Harper, Inc.	Lake Forest, CA	\$1,150,000.00
Calmex Engineering, Inc.	Bloomington, CA	\$1,354,404.64
Vance Corporation	Beaumont, CA	\$1,688,952.60

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

This Project will have a 10 percent contingency fund of \$115,000 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 the Department 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 \$70,000 of the \$115,000 contingency fund.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on October 18, 2022; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on October 17, 2022; Finance (Carl Lofton, Administrative Analyst, 387-5404) on October 27, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on October 28, 2022.

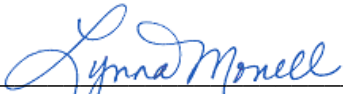
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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: November 15, 2022



cc: PW/Trans- Silao w/agree  
Contractor- C/O PW/Trans w/agree  
File- w/agree w/map  
LA 11/15/2022