

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

May 23, 2023

FROM

BRENDON BIGGS, Director, Department of Public Works – Solid Waste Management

SUBJECT

Contract with ABC Liovin Drilling, Inc for the Unit 5 Pre-Development Investigation at the Mid-Valley Sanitary Landfill

RECOMMENDATION(S)

1. Approve Addendum No. 1, issued on January 19, 2023, to the bid documents for the Unit 5 Pre-Development Investigation at the Mid-Valley Sanitary Landfill.
2. Award a construction **Contract No. 23-476** to ABC Liovin Drilling, Inc (Signal Hill, CA) in the amount of \$3,186,540 for the Unit 5 Pre-Development Investigation at the Mid-Valley Sanitary Landfill.
3. Authorize a contingency fund of \$318,654 for the Unit 5 Pre-Development Investigation at the Mid-Valley Sanitary Landfill.
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 \$210,000 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

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval for 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) is financed by fee revenue. SWMD establishes fees that are charged to the public and other agencies for utilization of the County's Waste Disposal System. The contract cost of \$3,186,540, and any of the proposed contingency fund for the Unit 5 Pre-Development Investigation at the Mid-Valley Sanitary Landfill (MVSL) (Project), will be funded by SWMD fee revenue. Sufficient appropriation and revenue have been included in the SWMD 2022-23 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

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 site is divided into five separate waste management units. The Project will enable SWMD to investigate potentially impacted soil and groundwater conditions near the planned Unit 5 expansion area. The Project consists of drilling eighteen borings at various depths for

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soil sampling and developing three groundwater wells for monitoring. The results of the investigation will determine site conditions and the necessity to implement any mitigation measures. Developing Unit 5 will provide additional landfill airspace for the continued disposal needs for the County.

The Project as described above has been reviewed by the Department of Public Works, Environmental Management Division (EMD) for compliance with the California Environmental Quality Act (CEQA). EMD concluded the Project, as proposed, is consistent with normal operating procedures as evaluated in the Mid Valley Landfill Expansion Environmental Impact Report, which was approved by the Board of Supervisors (Board) on February 10, 1998 (Item No. 81 and included in Notice of Determination No. SCH 91042005. As such, no further CEQA compliance is required.

On September 13, 2022 (Item No. 49), the Board approved the Project's plans and specifications and authorized the Director of the Department of Public Works to advertise the Project for formal bids. The Project was released on the County Electronic Procurement Network (ePro) (ePro No. PWG123-SOLID-4826) on September 22, 2022 and advertised in the Daily Press and Precinct Reporter newspapers on September 22 and September 29, 2022. A notice inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. A mandatory pre-bid meeting and job walk was held on Thursday, October 6, 2022 and was attended by only one firm. Consequently, with only one potential responsive bidder, SWMD recommended to re-advertise the Project more broadly to potentially obtain more competitive bids and give additional bidders an opportunity to submit a bid.

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.

Following Board approval of this item, the Project is anticipated to commence in June 2023 and be completed by September 2023.

PROCUREMENT

The Project was re-advertised to invite formal bids in accordance with Section 22037 of the California Public Contract Code. On December 6, 2022 (Item No. 37), the Board approved the Project's plans and specifications and authorized the Director of the Department of Public Works to re-advertise the Project for formal bids. The Project released ePro No. PWG123-SOLID-4826 on December 22, 2022 and advertised in various newspapers and construction trade journals on December 22 and December 29, 2022. A mandatory pre-bid meeting and job walk was held on Thursday, January 12, 2023, and was attended by six firms.

On January 26, 2023, only the bid from ABC Liovin Drilling, Inc. (Signal Hill, CA) in the amount of \$3,186,540 was received. The following addendums were issued during the bidding phase:

Addendum No. 1: Response to bidder questions concerning drilling techniques and safety requirements.

SWMD has reviewed the bid received and determined that it is responsive and recommends the Board award the contract to ABC Liovin Drilling, Inc. No appeal/protest letters were received.

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The Project will have a 10 percent contingency fund of \$318,654 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 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 \$210,000.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on April 19, 2023; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on May 2, 2023; Finance (Carl Lofton, Administrative Analyst, 387-5404) on May 5, 2023; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on May 8, 2023.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 23, 2023



cc: PW/SWMD - Meeka w/agree
Contractor - c/o PW/SWMD w/agree
File - w/agree w/map w/attach
CCM 05/31/2023