

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

December 17, 2019

FROM

BRENDON BIGGS, Interim Chief Flood Control Engineer, Flood Control District

SUBJECT

Contract with KEC Engineering for the Santa Ana River Floodwall Remediation Project

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Flood Control District (District):

1. Approve Addendum No 1, issued on October 24, 2019, and Addendum No. 2, issued November 4, 2019 to the bid documents for the Santa Ana River Floodwall Remediation project (Project) in the Colton area.
2. Award a **Contract No. 19-867** to KEC Engineering (Corona, CA), in the amount of \$949,583 for the Project.
3. Authorize a contingency fund of \$94,958 for the Project.
4. Authorize the Chief Flood Control Engineer or Interim Chief Flood Control Engineer to approve the expenditure of the contingency fund of \$94,958 for verified quantity overruns for this unit priced construction contract.
5. Authorize the Chief Flood Control Engineer or Interim Chief Flood Control Engineer to order any necessary changes or additions in the work being performed under the contract for a total amount not to exceed \$59,979 of the \$94,958 contingency fund, pursuant to Public Contract Code section 21061(d).
6. Authorize the Chief Flood Control Engineer or Interim Chief Flood Control Engineer to accept the work when complete and execute and file the Notice of Completion.

(Presenter: Brendon Biggs, Interim Chief Flood Control Engineer, 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 District is funded by property taxes, fees, local, state, and federal funding. Sufficient appropriation and revenue have been included in the District's 2019-20 budget (1920002522-F02613).

BACKGROUND INFORMATION

The Project consists of removing portions of the Santa Ana River Trail (Trail) to construct approximately 352 linear feet of floodwall, raising 200 linear feet of levee, and then reconstructing the Trail. All work for this Project will be performed within existing District right-of-way and no additional right-of-way will be acquired.

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District environmental staff has reviewed the Project and determined that a categorical exemption in accordance with the California Environmental Quality Act Guidelines, Title 14 of the California Code of Regulations, Section 15301(c) and Section 15302 is appropriate. This exemption allows for minor alterations, repair, and maintenance of existing public facilities and structures that involve negligible or no expansion of an existing use. The Project's plans and specifications are on file with the Clerk of the Board. Regulatory permits are not required to construct the Project.

Following Board of Supervisors (Board) approval of this item, construction is anticipated to commence mid-January of 2020 and be completed by mid-May of 2020.

PROCUREMENT

This Project was advertised in the Daily Press newspaper on October 8, 2019, in the Precinct Reporter on October 10, 2019, and released on the County Electronic Procurement Network (ePro) on October 8, 2019. Notice inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. On November 14, 2019, the following 10 bids were received:

<u>Contractor</u>	<u>Location</u>	<u>Total Bid</u>
KEC Engineering	Corona, CA	\$949,583.00
Leonida Builders, Inc.	Santa Clarita, CA	\$991,300.00
Zusser Company, Inc.	Los Angeles, CA	\$1,078,260.00
Wright Construction	San Marcos, CA	\$1,121,702.50
W.M. Kannayan Construction	San Bernardino, CA	\$1,190,710.00
Trinity Construction, Inc.	Cedar Glen, CA	\$1,213,850.83
BOSCO Constructions, Inc.	Chatsworth, CA	\$1,266,886.99
H & H General Construction, Inc.	Highland, CA	\$1,272,873.00
GMZ Engineering, Inc.	Westlake Village, CA	\$1,488,775.00
James McMinn, Inc.	Riverside, CA	\$1,567,175.00

There were two addendums issued during the bidding phase.

Addendum No. 1: Amend the construction drawings Sheets 3-8.

Addendum No. 2: Amend the construction drawings P-1 and D-3. Changed the bid opening date.

The District reviewed the bids received and recommends that the Board award the contract to KEC Engineering, the lowest responsive bidder. No appeal/protest letters were received.

This Project will have a 10 percent contingency fund of \$94,958 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 21061(d) allows the Board to authorize the Chief Flood Control Engineer or Interim Chief Flood Control Engineer 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 \$59,979 of the \$94,958 contingency fund.

REVIEW BY OTHERS

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This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on November 21, 2019; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on November 21, 2019; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on November 26, 2019; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on November 27, 2019.

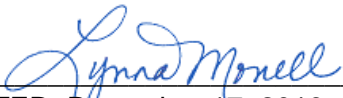
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Record of Action of the Board of Supervisors
San Bernardino County Flood Control District

APPROVED (CONSENT CALENDAR)

Moved: Robert A. Lovingood Seconded: Josie Gonzales
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 17, 2019



cc: SBCFCD- Ali w/agree
Contractor- C/o SBCFCD w/agree
File- w/agree w/attach w/map
la 12/26/2019