

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

May 4, 2021

FROM

BRENDON BIGGS, Director, Department of Public Works – Transportation

SUBJECT

Contract with Hardy & Harper, Inc. for the Institution Road Project, San Bernardino Area

RECOMMENDATION(S)

1. Approve Addendum No. 1, issued on March 3, 2021, Addendum No. 2, issued on March 12, 2021 to the bid documents for the Institution Road Project in the San Bernardino area.
2. Award a construction **Contract No. 21-314** to Hardy & Harper, Inc. (Lake Forest, CA) in the amount of \$411,000 for the Institution Road Project in the San Bernardino area.
3. Authorize a contingency fund of \$41,000 for the Institution Road Project in the San Bernardino area.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$41,000 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 \$33,050 of the \$41,000 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 additional Discretionary General Funding (Net County Cost). The construction contract of \$411,000 and any use of the proposed contingency fund for the Institution Road Project in the San Bernardino area (Project) funding was allocated in a prior year's Road Operation's budget as approved by the Board of Supervisors (Board). Sufficient appropriation and revenue are included in the Department of Public Works' (Department) 2020-21 Road Operations budget (6650002000 14H14080), and will be included in the 2021-22 recommended budget.

BACKGROUND INFORMATION

**Contract with Hardy & Harper, Inc. for the Institution Road Project, San Bernardino Area
May 4, 2021**

The Project consists of milling the existing asphalt concrete, applying an asphalt concrete overlay, installing silt fencing protective measures and pavement striping and markings on Institution Road, from 0.08 mile west of Verdemont Ranch Road to 1.15 mile east. All work for this Project will be done within the existing road right-of-way and no additional right-of-way will need to be acquired. The Project will meet the County and Chief Executive Officer's goals and objectives of ensuring the development of a well-planned, balanced and sustainable County and providing for the safety, health and social service needs of County residents by preserving and improving the structural integrity of existing road surfaces.

Institution Road provides the only access to the Glen Helen Rehabilitation Center and the Sheriff's Department Frank Bland Regional Training Center. Institution Road can be subject to road closure during extreme storm events and during one such storm access to those facilities was cut off for a short period of time. The Board approved the transfer of Discretionary General Funds as part of the adoption of the 2014-15 budget to the Department's Recommended Budget on June 17, 2014 (Item No. 99) and tasked the Department with identifying improvements that could be made to ensure access to the facilities. However, the limits of the subject road are located within the limits of the City of San Bernardino (City). On December 16, 2014 (Item No. 55) the Board approved a cooperative agreement with the City to declare the City road a County highway for the purposes of road improvements under Section 1700 of the Streets and Highways Code.

On January 26, 2021 (Item No. 47), the Board approved the Project's plans and specifications, determined the Project was exempt under the California Environmental Quality Act as defined in the Notice of Exemption, directed the Clerk of the Board to file and post said notice, and authorized the Director of the Department to advertise the Project for bids,

Following Board approval of this item, construction is anticipated to commence mid-July of 2021 and be completed by the end of July 2021.

PROCUREMENT

On January 26, 2021 (Item No. 47), 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 February 2, 2021, in the Precinct Reporter on February 4, 2021, and released on the County Electronic Procurement Network (ePro) on February 4, 2021. Notice inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. On April 1, 2021, the following seven bids were received:

<u>Contractor</u>	<u>Location</u>	<u>Total Bid</u>
Hardy & Harper, Inc.	Lake Forest, CA	\$411,000.00
Matich Corporation	Highland, CA	\$411,974.00
All American Asphalt	Corona, CA	\$425,767.00
Vance Corporation	Bloomington, CA	\$464,412.41
Calmex Engineering, Inc.	Bloomington, CA	\$515,402.90
ONYX Paving Company, Inc.	Anaheim, CA	\$527,000.00
R.J. Noble Company	Orange, CA	\$538,301.03

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The following addendums were issued during the bidding phase.

Addendum No. 1: Clarified the payment terms for a number of bid items including water pollution control, traffic strips, pavement markings, pavement markers, and signs. Additionally, it added requirements for coordination with the Union Pacific Railroad near their tracks at the east end of the project and with the Sheriff's department at the west end. Finally, the addendum clarified the requirements regarding environmental mitigation and the coordinated timeline of the project road closure with the entities served by the Institution Road.

Addendum No. 2: Revised the bid opening date.

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 \$41,000 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 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 \$33,050 of the \$41,000 contingency fund.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on April 7, 2021; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on April 5, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on April 14, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on April 18, 2021.

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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Col. Paul Cook (Ret.)

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

Lynna Monell, CLERK OF THE BOARD

BY



DATED: May 4, 2021



cc: PW/Trans - Silao w/agree
Contractor - C/O PW/Trans w/agree
File - w/agree w/map w/attach
CCM 05/10/2021