

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

June 8, 2021

FROM

BRENDON BIGGS, Chief Flood Control Engineer, Flood Control District

SUBJECT

Contract with Hardy & Harper, Inc. for the Rialto Avenue Roadway and Slope Repair Emergency Project in the City of San Bernardino

RECOMMENDATION(S)

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

1. Approve Addendum No. 1, issued on May 10, 2021 to the bid documents for the Rialto Avenue Roadway and Slope Repair Emergency Project in the City of San Bernardino.
2. Award a **Contract No. 21-398** to Hardy & Harper, Inc. (Lake Forest, CA) in the amount of \$211,000 for the Rialto Avenue Roadway and Slope Repair Emergency Project in the City of San Bernardino.
3. Authorize a contingency fund of \$21,000 for the Rialto Avenue Roadway and Slope Repair Emergency Project in the City of San Bernardino.
4. Authorize the Chief Flood Control Engineer of the San Bernardino County Flood Control District to approve the expenditure of the contingency fund of \$21,000 for verified quantity overruns for this unit priced construction contract.
5. Authorize the Chief Flood Control Engineer of the San Bernardino County Flood Control District to order any necessary changes or additions in the work being performed under the contract for a total amount not-to-exceed \$21,000 of the \$21,000 contingency fund, pursuant to Public Contract Code section 21061(d).
6. Authorize the Chief Flood Control Engineer of the San Bernardino County Flood Control District to accept the work when 100% complete and execute and file the Notice of Completion.

(Presenter: Brendon Biggs, 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 San Bernardino County Flood Control District (District) is funded by property tax revenue, fee revenue, and other local, state, and federal funding. The Rialto Avenue Roadway and Slope Repair Emergency Project in the City of San Bernardino (Project) cost of \$211,000 and any use of the proposed contingency fund will be funded by property tax revenue. Sufficient appropriation and revenue are included in the District's (1920002522 F02796) 2021-22 recommended budget.

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June 8, 2021**

BACKGROUND INFORMATION

The Project consists of repairing portions of Rialto Avenue and adjacent slope that was damaged during the storm events of December 28, 2020. Flows and debris that are normally collected by the District's East Rialto Storm Drain system were forced along the roadway due to the storm drain system being clogged by trash and debris from the presence of a homeless encampment upstream. Project repairs include replacing asphalt concrete pavement and curb and gutter and the placement of engineered backfill to rebuild the eroded slope along the south side of Rialto Avenue, approximately 350 feet west of Rancho Avenue, in the City of San Bernardino. All work performed for the Project will be done within the existing road right-of-way.

Due to the extent of damage, immediate measures were taken by the District utilizing an emergency on-call contractor to clear the storm drain and replace a storm drain trash rack that will collect trash prior to entering the storm drain system. Temporary slope protective measures and k-rail were also installed.

The Project meets 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.

On April 6, 2021 (Item No. 47) the Board of Supervisors (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.

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

PROCUREMENT

This Project was advertised in the Daily Press newspaper on April 27, 2021, in the Precinct Reporter on April 29, 2021, and released on the County Electronic Procurement Network (ePro) on April 27, 2021. Notice inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. On May 13, 2021, the following two bids were received:

<u>Contractor</u>	<u>Location</u>	<u>Total Bid</u>
Hardy & Harper, Inc.	Lake Forest, CA	\$211,000
All American Asphalt	Corona, CA	\$339,605

There was one addendum issued during the bidding phase.

Addendum No. 1: The addendum added a bid item for aggregate base as the contractor will now be responsible for supplying aggregate base from a supplier and not use the existing material on site. Also, the addendum clarified that the approval of the engineer is the Resident Engineer and not the Resident and Geotechnical Engineer.

The District reviewed the bids received and determined that they are responsive and recommends that the Board award the contract to Hardy & Harper, Inc., the lowest responsive bidder. No appeal/protest letters were received.

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This Project will have a 10 percent contingency fund of \$21,000 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 21061(d) allows the Board to authorize the 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 \$21,000 of the \$21,000 contingency fund.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on May 14, 2021; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on May 13, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on May 17, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 21, 2021.

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

APPROVED (CONSENT CALENDAR)

Moved: Janice Rutherford Seconded: Joe Baca, Jr.

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

Lynna Monell, CLERK OF THE BOARD

BY _____
DATED: June 8, 2021



cc: SDD/SBCFCD- Silao w/agree
Contractor- C/O SDD/SBCFCD w/agree
File- w/agree w/attach w/map
LA 06/9/2021