

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

June 8, 2021

**FROM**

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

**SUBJECT**

Contract with EXP U.S. Services, Inc. to Provide Professional Engineering and Environmental Services for the Phelan Road Widening Project in the Phelan Area

**RECOMMENDATION(S)**

Approve **Contract No. 21-418** with EXP U.S. Services, Inc., in the amount not-to-exceed \$3,503,005.93, for the period of June 8, 2021 to June 8, 2023, to provide professional engineering and environmental services for Phase I of the Phelan Road Widening Project in the Phelan area.

(Presenter: Brendon Biggs, Director, 387-7906)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**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 Department of Public Works (Department) is funded by Gas Tax revenue, fee revenue, and other federal, state and local funding. Phase I of the Phelan Road Widening Project in the Phelan area (Project), Project Approval/Environmental Document (PA/ED), is funded with Measure I Major Local Highway Program (MHLP) Funds administered by San Bernardino County Transportation Authority (SBCTA). On March 24, 2020 (Item No. 35), the Board of Supervisors (Board) approved Project Funding Agreement No. 20-145 with SBCTA to utilize a portion of the Measure "I" 2010-2040 Victor Valley Subarea MLHP funds for the PA/ED phase for the Project. SBCTA has the Project programmed for Phase II (Plans, Specifications and Estimate – PS&E) under its 10-Year Delivery Plan for 2021-22. Phase III (Construction) will be funded by federal Surface Transportation Program and Development Impact Fees revenue. Sufficient appropriation and revenue are included in the Department's 2020-21 Road Operations budget (6650002000 34H15057) and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

The Project involves the widening of 12.1 miles of Phelan Road between State Route 138 and Los Banos Avenue and includes: widening from two lanes to five lanes; pavement rehabilitation/reconstruction; realigning the intersection of Phelan Road and State Route 138 to provide for a perpendicular intersection; evaluation and possible widening or reconstruction of bridge at Sheep Creek and culvert at Horse Canyon Channel; rehabilitation/replacement of existing drainage structures at various locations as well as various other improvements as a

**Contract with EXP U.S. Services, Inc. to Provide Professional Engineering and Environmental Services for the Phelan Road Widening Project in the Phelan Area**  
**June 8, 2021**

result of the road widening. This Project is one of the County's priority projects because of the traffic volume in this area. The Project's intent is to relieve traffic congestion and improve the traffic circulation. The Project is also included in the SBCTA 10-Year Delivery Plan, approved by the SBCTA board on June 5, 2019 (Item No. 14).

According to the terms of the contract, EXP U.S. Services, Inc. (EXP) will provide the following professional engineering and environmental services/deliverables associated with Phase I of the Project: (1) project management, (2) survey (optional), (3) right-of-way engineering (additional legal and plats – optional); (4) hydrology/hydraulics; (5) pavement design; (6) geological/geotechnical investigations and reports; (7) utilities; (8) railroad coordination; (9) environmental/biological studies and clearance document; and 35% PS&E. Several tasks in Phase I, including additional legal descriptions and plats, survey and various environmental studies, are included in the contract's scope of services as optional tasks. Additionally, because of the unknown environmental studies that may be required by various regulatory agencies, the Department and EXP have agreed to include a contingency amount of \$99,942.94. All optional tasks in Phase I and the contingency amount shall only be utilized at the Department's discretion. Phase II tasks include (1) 65%, 95% and final civil plans, specifications and estimates; (2) 65%, 95% and final bridge plans, specifications and estimate; (3) Water Quality Management Plan/Storm Water Pollution Prevention Plan; (4) regulatory permits; and Phase III tasks include (1) advertising/bidding support (optional); and (2) construction support (optional). The Department and EXP negotiated a total amount of \$5,661,075.17 for the three (3) phases of the Project (Phase I – PA/ED, Phase II – PS&E and Phase III – Construction Support). When SBCTA Phase II funding is received, the Department may return to the Board to amend the contract to include Phase II in an amount not-to-exceed \$2,015,285.07. Upon receipt of federal funding, the Department may return to the Board to amend the contract to include Phase III in an amount not-to-exceed \$142,784.18.

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 improving roadway and drainage conditions. Through diligent contract negotiations for a fair and reasonable cost, the County is also operating in a fiscally-responsible and business-like manner.

**PROCUREMENT**

Request for Proposal (RFP) for "Professional Engineering and Environmental Services for Phelan Road Widening (No. PWG121-TRANS-4073)" was released through the County electronic Procurement Network (ePro) on January 6, 2021, and on February 5, 2021, three proposals were received and accepted for review:

<b>Consultant</b>	<b>Location</b>
EXP U.S. Services, Inc.	San Bernardino
KOA Corporation	Ontario
Michael Baker International	Ontario

The proposals were evaluated by a selection committee made up of four members from the Department's Transportation Design, Transportation Planning, Contracts, and Environmental Management Divisions, and one team member from the City of Hesperia. The selection committee determined that EXP was the most qualified consultant based on its understanding of the work to be done, experience with similar type work, familiarity with state and federal

**Contract with EXP U.S. Services, Inc. to Provide Professional Engineering and Environmental Services for the Phelan Road Widening Project in the Phelan Area**  
**June 8, 2021**

procedures, demonstrated technical ability and understanding of the County's needs and immediate availability of staff. After ranking the firms, the highest ranked firm's cost proposal was opened and in accordance with Caltrans Local Assistance Procedures Manual since federal Surface Transportation Program funds will be used for the right-of-way and construction phases of the Project. In accordance with Caltrans policy, contract negotiations were conducted with the firm that ranked the highest to determine a fair and reasonable cost for the scope of work. Staff from the Transportation Design Division and EXP representatives subsequently negotiated an amount of \$5,661,075.17 for all three phases of the work. No appeal and or protest letters were received.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on May 13, 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.

**Contract with EXP U.S. Services, Inc. to Provide Professional Engineering and Environmental Services for the Phelan Road Widening Project in the Phelan Area**  
**June 8, 2021**

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

**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: PW/Trans- Mikhail w/agree  
Contractor- C/O PW/Trans w/agree  
File- w/agree

LA 06/14/2021