

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

July 13, 2021

**FROM**

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

**SUBJECT**

Amendment to Contract with MD Rubberized Crackfill, LLC for On-Call Heavy Equipment Rental Services

**RECOMMENDATION(S)**

Approve **Amendment No. 1 to Contract No. 21-227** with MD Rubberized Crackfill, LLC increasing the total contract amount by \$525,000, from \$225,000 to \$750,000, for on-call heavy equipment rental services, with no change to the contract term of March 23, 2021 through June 30, 2022.

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

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

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

**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 – Transportation (Department) is funded by Gas Tax revenue, fee revenue, and other local, state, and federal funding. As these are on-call heavy equipment rentals, the specific projects have not yet been determined. Depending on the project, one of the above funding sources will be used to fund the cost of the contract. Sufficient appropriation is included in the Department's 2021-22 Road Operations budget and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

On January 4, 2021, the Department released Request for Qualifications (RFQ) 121-ADMIN-3974 to solicit additional proposals from vendors not already on the prequalified list for heavy equipment rental services. MD Rubberized Crackfill, LLC (MD Rubberized) submitted a proposal and met all the requirements, including types of equipment, service area, and compliance with the terms and conditions. On March 23, 2021 (Item No. 80), the Board of Supervisors approved Contract No. 21-227 with MD Rubberized in an amount not-to-exceed \$225,000 for a contract term of March 23, 2021 through June 30, 2022. On a monthly basis the Department reviews contract expenditures and determined that MD Rubberized is getting close to reaching the not-to-exceed contract amount of \$225,000. Out of 54 contractors on the on-call heavy equipment vendor list solicited, MD Rubberized was the only responsive bidder to provide asphalt sealing equipment.

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The proposed contract amendment will increase the total contract amount for Contract No. 21-227 with MD Rubberized to allow the Department to continue to receive bids from MD Rubberized for heavy equipment rental services to be used on routine road maintenance projects, public projects not exceeding the amount identified in Public Contract Code section 22032(a) and emergency road projects (following applicable provisions of the Public Contract Code). The proposed amendment allows the Department to continue to utilize MD Rubberized for up-to an additional \$525,000 for specific projects on an as-needed basis. Having a list of readily accessible pre-qualified vendors available for heavy equipment rental services provides good value to the Department and aligns with the County and Chief Executive Officer's goals to provide for the safety of County residents and to operate in a fiscally-responsible and business-like manner.

All other terms and conditions of Contract No. 21-227 will remain the same.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on June 4, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on June 21, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on June 28, 2021.

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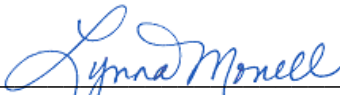
Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY

  
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DATED: July 13, 2021



cc: PW/Trans- Walker w/agree  
Contractor- C/O PW/Trans w/agree  
File- w/agree  
LA 07/14/2021