



# San Bernardino County

## Legislation Text

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**File #: 7314, Agenda Item #: 36**

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

**January 10, 2023**

**FROM**

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

**SUBJECT**

Contract with Calmex Engineering, Inc. for the Mountain Avenue and Other Roads Project in the San Antonio Heights Area

**RECOMMENDATION(S)**

1. Approve Addendum No. 1, issued on November 9, 2022, Addendum No. 2 issued on November 29, 2022, and Addendum No. 3 issued on December 5, 2022, to the bid documents for the Mountain Avenue and Other Roads Project in the San Antonio Heights area.
2. Award a construction contract to Calmex Engineering, Inc. (Bloomington, CA) in the amount of \$7,588,470.40 for the Mountain Avenue and Other Roads Project in the San Antonio Heights area.
3. Authorize a contingency fund of \$758,847 for the Mountain Avenue and Other Roads Project in the San Antonio Heights area.
4. Authorize the Director of the Department of Public Works to approve the expenditure of the contingency fund of \$758,847 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 \$210,000 of the \$758,847 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 Discretionary General Funding (Net County Cost). The Mountain Avenue and Other Roads Project in the San Antonio Heights area (Project) will be funded with Senate Bill 1 (SB1) Road Maintenance and Rehabilitation Account (RMRA) funds and by the City of Upland (City). Sufficient appropriation and revenue are included in the Department of Public Works (Department) 2022-23 Road Operations budget (6650002000 34H15037).

**BACKGROUND INFORMATION**

The Project consists of pavement rehabilitation on approximately 20 miles of roads in the San Antonio Heights

area. Other improvements include constructing new or replacing existing curb ramps at various locations in accordance with current design standards and pursuant to the Americans with Disabilities Act (ADA) guidelines as well as repairing or reconstructing sidewalks, spandrels and cross-gutters, and replacing guardrail at various locations on Mountain Avenue. Minimal work for the Project, consisting of a sidewalk panel repair, will be done outside the existing right-of-way and will require permission from property owners; however, no acquisitions will be required.

The Project was prioritized by the Board of Supervisors (Board) as part of the 2019-20 SB1 RMRA project list approved on April 21, 2020 (Item No. 45). Updating of existing ADA compliant curb ramps or installation of new ADA compliant curb ramps in the Project area are required for the subject road improvements under the federal “2013 Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the ADA Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing” guidelines.

On October 5, 2021 (Item No. 43), the Board approved Cooperative Agreement No. 21-734 between the County and the City for the implementation of this Project. On October 25, 2022 (Item No. 64), the Board approved Amendment No. 1 to the Cooperative Agreement, increasing the estimated contribution amounts from the City by \$805,000, from \$1,205,000 to \$2,010,000, and the County by \$7,470,000, from \$9,045,000 to \$16,515,000, for a total increase of \$8,275,000, with no change to the contract period of October 15, 2021, through completion of the Project and payment by the City, or on December 31, 2026, whichever occurs first.

On June 14, 2022 (Item No. 60), the 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.

The Project aligns with the County and the Chief Executive Officer’s goals and objectives of ensuring development of a well-planned, balanced and sustainable County by preserving and improving the structural integrity of existing road surfaces and providing for the safety of County residents by improving access for all pedestrians, including those with disabilities.

Following Board approval of this item, construction is anticipated to commence beginning of February 2023 and be completed by end of July 2023.

**PROCUREMENT**

On September 27, 2022 (Item No. 48), 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 October 27, 2022, in the Precinct Reporter on October 29, 2022, and released on the County Electronic Procurement Network (ePro) on October 27, 2022. Notice inviting bids was also provided to specified construction trade journals as required by Public Contract Code section 22036. On December 8, 2022, the following four bids were received:

<b>Contractor</b>	<b>Location</b>	<b>Total Bid</b>
Calmex Engineering, Inc.	Bloomington, CA	\$7,588,470.40
Matich Corporation	Highland, CA	\$8,003,100.00
Hardy & Harper, Inc.	Lake Forest, CA	\$8,075,000.00
All American Asphalt	Corona, CA	\$8,799,114.00

The following addendums were issued during the bidding phase:

Addendum No. 1: Amend Special Provisions - Notice to Bidders page NB-1 and NB-2, reschedule Pre-Bid Meeting

Addendum No. 2: Amend Special Provisions - Bid Opening date

Addendum No. 3: Amend Special Provisions - Add to Section 10-1.45, Page SP-92 (Quality Control Program), add to Section 10-1.01, Page SP-46 (Construction Phasing Plan and Fifth Order of Work), and provides answers to Bidder questions

The Department has reviewed the bids received and determined that they are responsive and recommends entering into a contract with Calmex Engineering, Inc., the lowest responsible bidder. No appeal/protest letters were received.

This Project will have a 10 percent contingency fund of \$758,847 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 the Department 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 \$210,000 of the \$758,847 contingency fund.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on December 13, 2022; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on December 12, 2022; Finance (Carl Lofton, Administrative Analyst, 387-5404) on December 15, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on December 20, 2022.