



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Buren, Public Works Director
Date: January 8, 2013

Subject: AWARD Construction Contract for the Tree Restoration at West County Detention Facility, 5555 Giant Highway, Richmond, for the Public Works Department

RECOMMENDATION(S):

- (1) APPROVE design, plans, and specifications for the above project.
- (2) DETERMINE that the bid submitted by The Professional Tree Care Company ("Professional Tree Care") complied with the requirements of the County's Outreach Program for this project, as provided in the project specifications, and FURTHER DETERMINE that Professional Tree Care submitted the lowest responsive and responsible bid for this project.
- (3) AWARD the construction contract for the above project to Professional Tree Care in the amount of \$246,760 and DIRECT that the Public Works Director, or designee, shall prepare the contract.
- (4) DIRECT that Professional Tree Care shall submit two good and sufficient security bonds (performance and payment bonds) in the amount of \$246,760 each.
- (5) ORDER that, after the contractor has signed the contract and returned it, together with the bonds, evidence of insurance, and other required documents, and the Public Works

☒ APPROVE ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/08/2013** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Candace Andersen, District II Supervisor
 Mary N. Piepho, District III Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 8, 2013

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Carrie Del Bonta, Deputy

Contact: Rob Lim (925)
 313-2000

Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

(6) ORDER that, in accordance with

RECOMMENDATION(S): (CONT'D)

the project specifications and/or upon signature of the contract by the Public Works Director, or designee, any bid bonds posted by the bidders are to be exonerated and any checks or cash submitted for security shall be returned.

(7) AUTHORIZE the Public Works Director, or designee, to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(8) AUTHORIZE the Public Works Director, or designee, to order changes or additions to the work pursuant to Public Contract Code Section 20142.

(9) DELEGATE, pursuant to Public Contract Code Section 4114, to the Public Works Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(10) DELEGATE, pursuant to Labor Code Section 6705, to the Public Works Director or to any registered civil or structural engineer employed by the County the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(11) DECLARE that, should the award of the contract to Professional Tree Care be invalidated for any reason, the Board would not in any event have awarded the contract to any other bidder, but instead would have exercised its discretion to reject all of the bids received. Nothing in this Board Order shall prevent the Board from re-awarding the contract to another bidder in cases where the successful bidder establishes a mistake, refuses to sign the contract, or fails to furnish required bonds or insurance (see Public Contract Code Sections 5100-5107).

FISCAL IMPACT:

Project costs are covered by the General Fund.

BACKGROUND:

The project involves the restoration of approximately 5 acres with native vegetation and the establishment of a buffer area between the Point Pinole Regional Park entrance and the West County Detention Facility. The new plantings will include a mixture of shrubs and trees appropriate to the climate and site conditions with an emphasis on native species. An irrigation system and some minor drainage improvements are also included.

Plans and specifications for the project were prepared for the Public Works Department by Stantec Architecture, Inc. and filed with the Clerk of the Board by the Public Works Director. Bids were received and opened by the Public Works Department on December 6,

2012, and the bid results are as follows:

BIDDER	BASE BID
The Professional Tree Care Co., Berkeley	\$246,760.00
Naturescapes, San Jose	\$247,877.00
McNabb Construction, Inc., Lafayette	\$249,410.00
Empire Landscaping, Davis	\$269,000.00
Vila Construction Co., Richmond	\$276,602.53
Bortolussi & Watkins, Inc., San Rafael	\$331,698.00
Glissman Excavating, Loomis	\$385,144.00
Wabo Landscape & Construction, Hercules	\$392,800.00
Cleary Bros. Landscape, Danville	\$393,796.00
New Image Landscape, Fremont	\$396,515.00
Suarez & Munoz Construction, Hayward	\$468,000.00

All 11 bids were above the Architect's Estimate of \$245,000. Staff has evaluated the low bid submitted by Professional Tree Care and their good faith effort documentation. Staff has determined that Professional Tree Care's bid is responsive and their good faith effort documentation is in compliance with the County's Outreach Program. The Public Works Director recommends that the Board award the construction contract for this project to Professional Tree Care, the lowest responsible and responsive bidder, in the amount of \$246,760.

The general prevailing rates of wages, which shall be the minimum rates paid on this project, are on file with the Clerk of the Board, and copies are available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:

If the construction contract is not awarded, there would be a delay in restoring the vacant parcel.

CHILDREN'S IMPACT STATEMENT:

Not applicable.