



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: June 9, 2015

Subject: AWARD and AUTHORIZE the Contract for 2015 On-Call Trucking Services for Aggregate Stockpiling and Transportation, Countywide, Project No. 0672-6U2144.

**RECOMMENDATION(S):**

- (1) APPROVE specifications and project design for the above project.
- (2) DETERMINE that U.S.A. Trucking, Inc., the lowest monetary bidder, submitted a non-responsive bid that did not comply with the requirements of the project specifications for this project; and REJECT the bid on that basis.
- (3) DETERMINE that C&J Favalora Trucking, Inc., the second lowest monetary bidder, has complied with the requirements of the project specifications; and FURTHER DETERMINE that C&J Favalora Trucking, Inc., has submitted the lowest responsive and responsible bid for the project.
- (4) AWARD the on-call trucking services contract to C&J Favalora Trucking, Inc., for the maximum amount (\$300,000.00) and for the unit prices submitted in the bid (\$90.00 Total Unit Price), and DIRECT that the contractor shall present two good and sufficient surety bonds, as indicated below, and that the Public Works Director, or designee, shall prepare the contract.

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

Action of Board On: **06/09/2015** ☒ 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

ABSENT: 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: June 9, 2015

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

By: June McHuen, Deputy

Contact: Chris Lau, 925-313-7002

cc:

(5) ORDER that, after the contractor has signed the contract and returned it, together with the bonds as noted below and any required certificates of insurance or other required documents, and the Public Works Director has reviewed and found them

RECOMMENDATION(S): (CONT'D)

to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

(6) ORDER that, the Public Works Director, or designee, is authorized 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.

(7) 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.

(8) DECLARE that, should the award of the contract to C&J Favalora Trucking, Inc., 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:

The on-call construction contract will be funded 100% by the Local Road Fund.

BACKGROUND:

The above project was previously approved by the Board of Supervisors, specifications were filed with the Board, and bids were invited by the Public Works Director. On April 21, 2015, the Public Works Department received bids from the following contractors:

**BIDDER, TOTAL UNIT PRICE, BOND AMOUNTS**

U.S.A. Trucking, Inc.: \$89.00 Total Unit Price

C&J Favalora Trucking, Inc.: \$90.00 Total Unit Price; Payment Bond: \$300,000.00;  
Performance Bond: \$300,000.00

LS Trucking, Inc.: \$100.00 Total Unit Price

Destination Anywhere, Inc.: \$100.00 Total Unit Price

The Public Works Director has determined that U.S.A. Trucking, Inc., the lowest monetary bidder, submitted a non-responsive bid due to various deficiencies in its bid submittal, including missing and partially-whited-out signatures, missing required notarizations, forms not filled out, the corporation's legal status and signatures of

corporate officers were not identified, and Addendum No. 1 not acknowledged, all of which created uncertainty in the company's bid and failed to comply with the requirements of the project specifications and, therefore, the Public Works Director recommends rejection of the bid submitted by U.S.A. Trucking, Inc.

On May 7, 2015, U.S.A. Trucking, Inc., was notified in writing of the Public Works Director's determination that the company's bid was considered deficient and subject to rejection for the described reasons. A copy of the notification letter is attached to this Board Order as Exhibit A. U.S.A. Trucking, Inc., did not appeal the determination.

The Public Works Director has determined that the bid submitted by C&J Favalora Trucking Inc., the second lowest monetary bidder, complied with the requirements of the project specifications and is the lowest responsive and responsible bid, and this Board concurs and so finds.

The Public Works Director recommends that the on-call trucking services contract be awarded to C&J Favalora, Trucking Inc.

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

CONSEQUENCE OF NEGATIVE ACTION:

On-call trucking services for various County projects would not be available and projects would be considerably delayed.

ATTACHMENTS

May 7, 2015 Letter to USA Trucking Inc.