



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: March 15, 2016

Subject: AWARD two construction contracts for the 2016 On-Call Contract(s) for Various Road and Flood Control Maintenance Work, Countywide.

RECOMMENDATION(S):

(1) APPROVE the specifications for the 2016 On-Call Contract(s) for Various Road and Flood Control Maintenance Work project. Project No. 0672-6U2009

(2) DETERMINE that GradeTech, Inc. (GradeTech), the lowest monetary bidder, has complied with the requirements of the County's Outreach Program for this project, as provided in the project specifications, and FURTHER DETERMINE that GradeTech has submitted the lowest responsive and responsible bid for the contract.

(3) DETERMINE that Redgwick Construction Company (Redgwick), the second lowest monetary bidder, submitted a non-responsive bid by failing to comply with the requirements of the County's Outreach Program for this project, as provided in the project specifications; and REJECT the bid on that basis.

(4) DETERMINE that Carone and Company, Inc. (Carone), the third lowest monetary bidder, submitted a non-responsive bid by failing to comply with the requirements of the County's Outreach Program for this project, as provided in the project specifications; and REJECT the bid on that basis.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/15/2016** ☒ 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: March 15, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Kevin Emigh,
925-313-2233

cc:

(5) DETERMINE that Hess Concrete Construction Co., Inc. (Hess), the fourth lowest monetary bidder, has complied with the requirements

RECOMMENDATION(S): (CONT'D)

of the County's Outreach Program for this project, as provided in the project specifications, and FURTHER DETERMINE that Hess has submitted the second lowest responsive and responsible bid for the contract.

(6) AWARD on-call contracts to the following two contractors in the following priority for Job Orders, as provided in the project specifications:

(A) GradeTech, in a not to exceed amount (\$400,000.00) and the unit prices submitted in the bid (\$1,254.51 Total Unit Price).

(B) Hess, in a not to exceed amount (\$400,000.00) and the unit prices submitted in the bid (\$1,511.50 Total Unit Price).

(7) DIRECT that the Public Works Director, or designee, to prepare the contracts.

(8) ORDER that after the contractors have signed the contracts and returned them, together with any required certificates of insurance and other required documents, and the Public Works Director has reviewed and found them to be sufficient; the Public Works Director, or designee, is authorized to sign the contracts for this Board.

(9) 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 Contracts Code Section 22300.

(10) 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.

(11) 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.

(12) DECLARE that, should the award of the contract to GradeTech or Hess be invalidated for any reason, the Board would not in any event have awarded the contracts 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 contracts, for a maximum amount of \$400,000 each, will be funded by 100% Local Road and Flood Control funds.

BACKGROUND:

The above project was previously approved by the Board of Supervisors, specifications were filed with and approved by the Board, and bids were invited by the Public Works Director. On January 5, 2016, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL UNIT AMOUNT

GradeTech, Inc.: \$1,254.51 Total Unit Price

Redgwick Construction Co.: \$1,398.50 Total Unit Price

Carone and Company, Inc.: \$1,441.00 Total Unit Price

Hess Concrete Construction Co., Inc.: \$1,511.50 Total Unit Price

A-S Pipelines, Inc.: \$1,989.65 Total Unit Price

Innovative Construction Solutions: \$2,028.00 Total Unit Price

G & S Paving: \$6,139.92 Total Unit Price

The Public Works Director has reported that Redgwick and Carone, the second and third lowest monetary bidders, respectively, submitted non-responsive bids by failing to document an adequate good faith effort to comply with the requirements of the County's Outreach Program, as provided in the project specifications and the Public Works Director has recommended rejection of the bids submitted by Redgwick and Carone.

On March 1, 2016, Redgwick and Carone were notified in writing of the Public Works Director's determination. Copies of the various letters are attached to this Board Order.

GradeTech submitted the lowest responsive and responsible bid, which is \$143.99 less (Total Unit Price) less than the next lowest bid.

Hess submitted the second lowest responsive and responsible bid, which is \$478.15 less (Total Unit Price) less than the next lowest bid.

The Public Works Director has reported that the bids submitted by GradeTech and Hess documented an adequate good faith effort to comply with the requirements of the County's Outreach Program, as provided in the project specifications, and recommends that contracts be awarded to GradeTech and Hess in that order. The Public Works Director recommends that the bids submitted by GradeTech and Hess are the lowest

responsive and responsible bids, and this Board so concurs and finds. As provided in the project specifications, the two on-call contracts would be awarded in the following priority for Job Orders: (1) GradeTech; and (2) Hess.

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, with copies to be made available to any party upon request.

CONSEQUENCE OF NEGATIVE ACTION:

The Public Works Department may be unable to complete routine road and flood control maintenance work in a timely manner.

ATTACHMENTS

Carone Letter

Redgewick Letter