



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: September 13, 2016

Subject: Award Construction Contract for El Sobrante Mini Park Improvements, 4191 Appian Way, El Sobrante, CA.

### **RECOMMENDATION(S):**

1. APPROVE the design, plans, and specifications for the above project.
2. DETERMINE that the bid submitted by Hess Construction Co. Inc., complied with the requirements of the County's Outreach Program for this project, as provided in the project specifications, and FURTHER DETERMINE that Hess Construction Co., Inc. submitted the lowest responsive and responsible bid for this project.
3. AWARD the construction contract for the above project to Hess Construction Co. Inc., in the amount of \$823,000.
4. DIRECT that Hess Construction Co. Inc., shall submit two good and sufficient security bonds (performance and payment bonds) in the amount of \$823,000.00 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 Director has reviewed and found them to be sufficient, the Public Works Director, or designee, is authorized to sign the contract for this Board.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **09/13/2016** ☒ 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: September 13, 2016

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

Contact: Jason Chen, Special  
Districts (925) 313-2299

By: Stacey M. Boyd, Deputy

cc:

6. ORDER that, in accordance with the project specifications and/or upon signature of the contract by the Public

## RECOMMENDATION(S): (CONT'D)

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. DECLARE that, should the award of the contract to Hess Construction Co. 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:

52.5% Measure WW Funds  
32.6% Park Dedication Funds  
6.5% Library Funds  
8.4% General Funds

## BACKGROUND:

Voters approved Measure WW allocated grant funds to local parks for improvements. Special Districts met with Supervisor Gioia's staff, El Sobrante Library staff, and members of SPAWNERS to develop the proposed improvements at El Sobrante Mini Park. The purpose of the work is to rehabilitate the existing parking lot and renovate existing landscape and recreational facilities on the County land adjacent to the El Sobrante Library. The existing recreational facilities include gardens (reading, demonstration, and memorial), landscaped walkways along Appian Way and Garden Road, and landscaped pathways leading to a riparian interpretive trail along San Pablo Creek. The work will remove the deteriorating parking lot surface and replace it with pervious asphalt to meet County c.3 Clean Water requirements, renovate the existing landscaping along all the above mentioned landscaped walkways and improve landscaping around the reading garden. An existing open space located at the rear of the library will be converted into a plaza with a raised podium for events. Upkeep of the improvements will be part of the routine maintenance of County

facilities.

Plans and specifications for the project have been prepared for the Public Works Department by Callander Associates and filed with the Clerk of the Board by the Public Works Director. Bids were received and opened by the Public Works Department on August 11, 2016, and bids were as follows:

BIDDER	TOTAL BASE BID
Hess Construction Co., Inc.	\$823,000.00
GradeTech, Inc.	\$858,000.00
Suarez & Munoz Construction, Inc.	\$884,585.00

All the bids received were more than the Architect's Estimate of \$635,000.00. Staff has determined that the bids are within the normal range for projects of this nature and that sufficient funds are available.

Staff has evaluated the low bid submitted by Hess Construction Co., Inc. and their good faith effort documentation. Hess Construction Co.'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 to Hess Construction Co., Inc., the lowest responsive and responsible bidder, in the amount of \$823,000.00.

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, the project will not move forward and the parking lot will continue to deteriorate.