



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 26, 2019

Subject: Construction Contract for the Kirker Pass Road Northbound Truck Climbing Lane Project, Concord and Pittsburg areas.

**RECOMMENDATION(S):**

- (1) APPROVE plans, specifications, and design for the Kirker Pass Road Northbound Truck Climbing Lane Project, Concord and Pittsburg area. County Project No. 0662-6R4052, Federal Project No. RPSTPL-5928 (123), (District IV and V)
- (2) DETERMINE that the bid submitted by Granite Rock Company (Granite Rock), exceeded the Disadvantaged Business Enterprise Goal for this project and that Granite Rock has submitted the lowest responsive and responsible bid for this project
- (3) AWARD the construction contract for the above project to Granite Rock in the listed amount (\$14,153,763.00) and the unit prices submitted in the bid, and DIRECT that Granite Rock shall present two good and sufficient surety bonds, as indicated below, and that the Public Works Director, or designee, shall prepare the contract.
- (4) 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 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: **02/26/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

A YE: John Gioia, District I  
Supervisor  
Candace Andersen, District II  
Supervisor  
Karen Mitchoff, District IV  
Supervisor  
Federal D. Glover, District V  
Supervisor

ABSENT: Diane Burgis, District III  
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: February 26, 2019

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

By: Stacey M. Boyd, Deputy

Contact: Kevin Emigh,  
925-313-2233

cc:



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

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

(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) 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.

(9) DECLARE that, should the award of the contract to Granite Rock 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 construction contract and associated fees of this project will be funded by 13% Surface Transportation Improvement Program Funds, 6% One Bay Area Grant Local Streets and Road Program Funds, 9% State Match Program Funds, 41% Local Road Funds, 29% Measure J Regional Funds, and 2% Measure J Return to Source Funds.

## BACKGROUND:

The above project was previously approved by the Board of Supervisors, plans and specifications were filed with the Board, and bids were invited by the Public Works Director. On January 22, 2019, the Public Works Department received bids from the following contractors:

## BIDDER, TOTAL AMOUNT, BOND AMOUNTS

Granite Rock Company, \$14,153,763.00; Payment: \$14,153,763.00; Performance: \$14,153,763.00

Bay Cities Paving & Grading, Inc., \$14,886,666.50

Ghilotti Construction Company, Inc., \$15,223,077.60

Gordon N. Ball, Inc., \$15,440,881.00

Flatiron West, Inc., \$15,528,038.20

Granite Construction Company, \$16,073,185.10

O. C. Jones & Sons, Inc., \$16,693,788.00

DeSilva Gates Construction L.P., \$17,500,000.00

The bidder listed first above, Granite Rock, submitted the lowest responsive and responsible bid, which is \$732,903.50 less than the next lowest bid.

This is a federally funded project subject to a Disadvantaged Business Enterprise (DBE) contract goal and requirements. The Public Works Director reports that the lowest monetary bidder, Granite Rock, attained DBE participation of 17.42% to meet the DBE goal (16.00%) and requirements for this project. The Public Works Director recommends that the Board determine that Granite Rock has complied with the DBE requirements for this project and recommends that the construction contract be awarded to Granite Rock.

The Public Works Director recommends that the bid submitted by Granite Rock is the lowest responsive and responsible bid, and this Board concurs and so finds.

The Board of Supervisors previously adopted the Mitigated Negative Declaration and Monitoring Reporting Program on October 18, 2016 in compliance with the California Environmental Quality Act (CEQA), and a Notice of Determination was filed with the County Clerk on October 20, 2016.

The Board of Supervisors previously approved the Addendum to the Mitigated Negative Declaration on November 6, 2018 in accordance with the CEQA Guidelines Section 15164.

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:

Construction of this project would be delayed, and the project might not be built.