



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 12, 2020

Subject: Contracts for the 2020 On-Call Contract(s) for Various Road, Flood Control, and Airport Maintenance Work Project, Countywide.

**RECOMMENDATION(S):**

(1) APPROVE the specifications for the 2020 On-Call Contract(s) for Various Road, Flood Control, and Airport Maintenance Work Project, Countywide area. Project No. 0672-6U2009-19

(2) DETERMINE that GradeTech Inc. ("GradeTech"), the lowest monetary bidder, has complied with the requirements of the project specifications; and FURTHER DETERMINE that GradeTech has submitted the lowest responsive and responsible bid for this project.

(3) DETERMINE that A. Teichert & Son, Inc. ("Teichert"), the second lowest monetary bidder, has complied with the requirements of the project specifications; and FURTHER DETERMINE that Teichert has submitted the second lowest responsive and responsible bid for this project.

(4) DETERMINE that Kerex Engineering, Inc. ("Kerex"), the fourth lowest monetary bidder, has complied with the requirements

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/12/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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: May 12, 2020

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)

of the project specifications; and FURTHER DETERMINE that Kerex has submitted the third lowest responsive and responsible bid for this project.

(5) DETERMINE that McGuire and Hester (“McGuire and Hester”), the fifth lowest monetary bidder, has complied with the requirements of the project specifications; and FURTHER DETERMINE that McGuire and Hester has submitted the fourth lowest responsive and responsible bid for this project.

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

(A) GradeTech, in a not to exceed amount (\$900,000.00) and the unit prices submitted in the bid (\$ 1,436.00 Total Unit Price).

(B) Teichert, in a not to exceed amount (\$900,000.00) and the unit prices submitted in the bid (\$1,585.00 Total Unit Price).

(C) Kerex, in a not to exceed amount (\$900,000.00) and the unit prices submitted in the bid (\$ 1,857.75 Total Unit Price).

(D) McGuire and Hester, in a not to exceed amount (\$900,000.00) and the unit prices submitted in the bid (\$ 1,878.00 Total Unit Price).

(7) DIRECT that the Public Works Director, or designee, shall 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 Contract 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) DECLARE that, should the award of the contract to GradeTech, Teichert, Kerex, or McGuire and Hester 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 \$900,000 each, will be funded by 100% Local Road, Flood Control, and Airport Enterprise Funds.

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 7, 2020, the Public Works Department received bids from the following contractors:

BIDDER, TOTAL UNIT AMOUNT

GradeTech, Inc., \$1,436.00 Total Unit Price

A. Teichert & Son, Inc., \$1,585.00 Total Unit Price

Kerex Engineering, Inc. \$1,857.75 Total Unit Price

McGuire and Hester, \$1,878.00 Total Unit Price

GradeTech submitted the lowest responsive and responsible bid, which is \$149.00 (Total Unit Price) less than the next lowest bid.

Teichert submitted the second lowest responsive and responsible bid, which is \$272.75 (Total Unit Price) less than the next lowest bid.

Kerex submitted the third lowest responsive and responsible bid, which is \$20.25 (Total Unit Price) less than the next lowest bid..

McGuire and Hester submitted the fourth lowest responsive and responsible bid.

The Public Works Director has reported that the bids submitted by GradeTech, Teichert, Kerex, and McGuire and Hester comply with the requirements of the project specifications, and recommends that contracts be awarded to GradeTech, Teichert, Kerex, and McGuire and Hester in that order. The Public Works Director recommends that the bids submitted by GradeTech, Teichert, Kerex, and McGuire and Hester are the lowest responsive and responsible bids and this Board so concurs and finds. As provided in the project specifications, the four on-call contracts would be awarded in the following priority for Job Orders: (1) GradeTech; (2) Teichert; (3) Kerex; (4) McGuire and Hester.

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:

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