



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Steve Silveira, Deputy General Services Director  
Date: January 10, 2012

Subject: Award of Construction Contract for the Antepartum Room Remodel Project at Contra Costa Regional Medical Center, 2500 Alhambra Avenue, Martinez

**RECOMMENDATION(S):**

1. APPROVE the design, plans, and specifications for the above project.
2. DETERMINE that the bids submitted by Orea Construction and Murray Building were non-responsive; and REJECT the bids on that basis.
3. AWARD the construction contract for the above project in the amount of \$390,470 to Vila Construction Company ("Vila"), the lowest responsive and responsible bidder for the subject project; and DIRECT the General Services Deputy Director, or designee, to prepare the contract.
4. DETERMINE that Vila has documented an adequate good faith effort to comply with the specifications and the requirements of the County's Outreach Program in connection with the above project and WAIVE any irregularities in such compliance.
5. DIRECT that Vila shall submit two good and sufficient security bonds (performance and payment bonds), each in the amount of \$390,470.

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

Action of Board On: **01/10/2012** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
 Mary N. Piepho, District III Supervisor  
 Karen Mitchoff, District IV Supervisor  
 Federal D. Glover, District V Supervisor

ABSENT: Gayle B. Uilkema, District II 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: January 10, 2012

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

By: June McHuen, Deputy

Contact: Rob Lim, (925) 313-7200

6. ORDER that, after Vila has signed the contract and returned it, together with the bonds, evidence of insurance, and other required documents, and the General

RECOMMENDATION(S): (CONT'D)

Services Deputy Director has reviewed and found them to be sufficient, the General Services Deputy Director, or designee, is authorized to sign the contract for this Board.

7. AUTHORIZE the General Services Deputy Director, or designee, to exonerate any bid bonds posted by the bidders after execution of the above contract.

8. AUTHORIZE the General Services Deputy Director, or designee, to sign any escrow agreement prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for monies withheld by the County to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

9. AUTHORIZE the General Services Deputy Director, or designee, to order changes or additions to the work pursuant to Public Contract Code Section 20142.

10. DELEGATE, pursuant to Public Contract Code Section 4114, the Board's function under Public Contract Code Sections 4107 and 4110, with regards to subletting and subcontracting, to the General Services Deputy Director, or designee.

11. DECLARE that, should the award of a contract to Vila 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 herein shall prevent the Board from re-awarding a 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 in accordance with Public Contract Code Sections 5100-5107.

FISCAL IMPACT:

The project is funded by the Health Services Department's Enterprise Fund (EF-1), fiscal year 2011/2012 budget.

BACKGROUND:

The project involves remodeling the former antepartum room (located on the fifth floor of the hospital building) into a labor and delivery room at the Contra Costa Regional Medical Center ("CCRMC"). Adding a labor and delivery room will help alleviate a shortage of these facilities. The antepartum testing function was relocated to Building One on the campus in a previous project. The project scope also involves remodeling a nurse's station and upgrading the floor security system.

Plans and specifications for the project were prepared for the General Services Department by Kaplan McLaughlin Diaz, and filed with the Clerk of the Board by the General Services Deputy Director. Bids were received and opened by the General Services Department on November 17, 2011, and the bid results are as follows:

BIDDER	BASE BID
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Orea Construction, Dublin	\$279,500
Murray Building, Inc., Sonoma	\$319,000
Vila Construction, Richmond	\$390,470
Angotti & Reilly, San Francisco	\$392,000
Cahil Contractors, San Francisco	\$410,930
W.A. Thomas Co., Inc., Martinez	\$523,000

Two of the six bids received were below the architect's estimate of \$349,200. In evaluating the apparent low bid submitted by Orea Construction, it was determined that the bid did not comply with the County's Outreach Program requirements and, therefore, the bid was non-responsive. In evaluating the apparent second low bid submitted by Murray Building, it was determined that the bid did not comply with the Mandatory Subcontracting Minimum (MSM) requirement for this project and did not comply with the bidder responsibility requirements, including sufficient similar project experience. Vila's bid was also evaluated and determined to be responsive and responsible. Therefore, Vila submitted the lowest responsive and responsible bid, which is \$41,270 higher than the architect's estimate. The Health Services Department has sufficient funding to cover the additional costs. Staff recommends that the Board reject as non-responsive the bids submitted by Orea Construction and Murray Building and award the construction contract for this project to Vila for a total award amount of \$390,470.

Letters were previously sent notifying Orea Construction and Murray Building of the above deficiencies with their bids and affording them an opportunity to appeal their disqualification. No appeal was submitted by either bidder.

Vila has submitted its documentation of good faith efforts to comply with the specifications and requirements of the County's Outreach Program. Staff has determined that Vila has documented an adequate good faith effort to comply with the requirements of the Outreach Program and recommends that the Board so determine.

The general prevailing wage rates, 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:

Without an additional labor and delivery room, the CCRMC will be unable to meet current service demands. In addition, the space available in the antepartum room will remain under-utilized.

#### CHILDREN'S IMPACT STATEMENT:

Not applicable.