

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 04/18/05  
**Department Name:** Public Works  
**Department No.:** 054/02/02  
**Agenda Date:** 05/17/05  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Phillip M. Demery, Director  
Public Works

**STAFF CONTACT:** Dace Morgan, 568-3047  
Engineering Manager

**SUBJECT:** Construction of 2003/2004 and 2004/2005 County Wide Roads General Fund Designation and Measure 'D' Preventive Maintenance Application (Asphalt Concrete Overlay, SAMI, and Asphalt-Rubber Seal Coat) in Santa Barbara County. Project No. 810522 All Supervisorial Districts.

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## Recommendation(s):

That the Board of Supervisors:

- A. Approve plans and specifications for Construction of 2003/2004 and 2004/2005 County Wide Roads General Fund and Measure 'D' Preventive Maintenance Application (Asphalt Concrete Overlay, SAMI, and Asphalt-Rubber Seal Coat) in Santa Barbara County, County Project No. 810522;
- B. Award the construction contract in the amount of \$4,079,826.50 to the lowest responsible bidder, Union Asphalt, Inc., a California corporation (A Local Vendor), P.O. Box 1280 Santa Maria, California 93456-1280, subject to the provisions of documents and certification, as set forth in the plans and specifications applicable to the project and as required by law;
- C. Authorize the chair to execute the construction contract upon return of the Contractor's executed contract documents and the review and approval of the County Counsel and Auditor Controller or their authorized representatives;
- D. Approve a contingency fund in the amount of \$216,491.33 for Construction of 2003/2004 and 2004/2005 County Wide Roads General Fund and Measure 'D' Preventive Maintenance Application (Asphalt Concrete Overlay, SAMI and Asphalt-Rubber Seal Coat) in Santa Barbara County, County Project No. 810522.

### **Alignment with Board Strategic Plan:**

The recommendation(s) are primarily aligned with Goal No. 1, An Efficient Government Able to Respond Effectively to the Needs of the Community.

### **Executive Summary and Discussion:**

On Thursday, April 14, 2005, two (2) bids were opened for the Construction of 2003/2004 and 2004/2005 County Wide Roads General Fund and Measure 'D' Preventive Maintenance Application (Asphalt Concrete Overlay, SAMI, and Asphalt-Rubber Seal Coat) in Santa Barbara County, County Project No. 810522. The lowest responsible bid for Alternate Two was submitted by Union Asphalt, Inc. in the amount of \$4,079,826.50, which was 19% below the Engineer's Estimate. Staff has performed an analysis of the bids received and has determined that the low bid is responsible and reasonable. Staff recommends awarding this contract to Union Asphalt, Inc.

The project utilizes several of the strategies that the Department employs in its annual Preventive Maintenance Program and consists of the placement of a Type B asphalt concrete overlay over an asphalt concrete leveling course and pavement reinforcing fabric or a Stress Absorbing Membrane Interlayer (SAMI). The project also consists of the application of an asphalt-rubber seal coat (ARAM) at various locations throughout Santa Barbara County. Approximately 29 lane miles of County maintained roadway will be resurfaced and 11 lane miles of seal coat will be applied for a total of 40 lane miles treated with construction of this project.

On April 19, 2005 Granite filed a formal bid protest and alleged that Public Works had violated Public Contract Code section 20103.8 and requested that the County either award the contract for the project to Granite or, in the alternative, reject all bids. Granite is not the low bidder on Project Alternate #2, upon which the contract will be awarded and which was the basis for the decision to award the contract to Union Asphalt.

Section 20103.8 provides, in pertinent part:

**20103.8.** A local agency may require a bid for a public works **contract** to include prices for items that may be added to, or deducted from, the scope of work in the contract for which the bid is being submitted. Whenever additive or deductive items are included in a bid, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of a specification, only the method provided by subdivision (a) will be used:

(a) The lowest bid shall be the lowest bid price on the base **contract** without consideration of the prices on the additive or deductive items.

(b) The lowest bid shall be the lowest total of the bid prices on the base **contract** and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price. (Emphasis added.)

The only difference between the two projects is that Alternate Two includes work on Calle Real, along the 101 Freeway between El Capitan State Beach and Refugio Road. Per the contract, it was the County's

expressed intention to award a contract for Alternate Two if sufficient funds were found to exist at the time the bids were opened and their amounts known.

County Counsel concurs that the project alternatives referred to in the proposal were not "additive alternates" within the meaning of section 20103.8 in that bidders were not required to "include prices for items that may be added to, or deducted from, the scope of work in the contract for which the bid is being submitted."



Your Board approved the project as part of the 2004/2005 Capital Improvement Plan. The specific project locations are approved by your Board in the FY 2003/2004 and FY 2004/2005 Road Maintenance Annual Plans (RdMap) and are attached for your information.

This project was bid in accordance with the Public Contract Code, which requires the award to the lowest responsible bidder.

**Mandates and Service Levels:**

No change in programs or service levels.

**Fiscal and Facilities Impacts:**

The total project funding, including contingencies, amounts to \$4,296,317.83. Of this total, \$1,262,526.84 is provided by 2003/2004 Measure 'D' revenues, \$1,858,068.36 is provided by 2004/2005 Measure 'D' revenues, \$117,014 is provided by 2003/2004 General Funds, \$308,710.63 is provided by 2004/2005 General Funds and \$750,000.00 is provided by Exxon as mitigation to satisfy condition RC-88/1061 of their original development permit.

Construction of 2003/2004 and 2004/2005 County Wide Roads General Fund and Measure 'D' Preventive Maintenance Application (Asphalt Concrete Overlay, SAMI and Asphalt-Rubber Seal Coat) in Santa Barbara County, County Project No. 810522  
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Measure 'D' funding for the project is budgeted in Fund 0015, Org Unit 0002, Program 2900, Department 054 and Account 7511. General Fund funding for this project is budgeted in Fund 0015, Org Unit 0001, Program 2900, Department 054 and Account 7510. Exxon funding for this project is budgeted in Fund 0015, Org Unit 0001, Program 2900, Department 054 and Account 7510.

**Special Instructions:**

Please provide a certified stamped Minute Order approving these actions to the Public Works Department, Transportation Division, Engineering Section, Attention Beverly Cross.

**Concurrence:**

County Counsel  
Auditor Controller  
Risk Manager

**Attachments:** A) 2003/2004 and 2004/2005 County Wide Roads General Designation and Measure 'D' Preventive Maintenance Application (Asphalt Concrete Overlay, SAMI, and Asphalt-Rubber Seal Coat) Street List.



# ATTACHMENT A

## STREET LIST

SECTION I.D.	ZONE	STREET	FROM	TO
<b>FIRST SUPERVISORIAL DISTRICT</b>				
CARPINTERIA, MONTECITO AREA				
A 10940	1021	Alcala Lane*	Camino Viejo	North End
A 11000	1021	Cowles Road**	Eucalyptus Hill Road	West End
A 10620	1021	Depot Road	Spring Road	South End
A 10540	1021	Mira Monte*	Santa Rosa Lane	South End
A 10985	1021	Parra Grande Lane*	Riven Rock	HWY 192
A 10580	1021	Pomar Lane*	San Leandro	Hixon Road
A 10512	1021	San Leandro Lane	Hixon Road	Santa Rosa Lane
A 10155	1001	Santa Claus Lane**	HWY 101	Begin PCC Section
A 10030 & A 10035	1001	Shepard Mesa Road**	HWY 192	Top of Circle
A 10040 & A 10045	1001	Shepard Mesa Road**	Top of Circle	Bottom of Circle
MISSION CANYON AREA				
A 11595	1031	Exeter Place	Cheltenham Road	East End
<b>SECOND SUPERVISORIAL DISTRICT</b>				
B 11993	2041	Calle Real	1640' West of El Sueno Road	3140' West of El Sueno Rd
B 13000	2041	Dena Way	Queen Ann Lane	East End
B 12990	2041	Jean Lane	Queen Ann Lane	West End
B 13600	2041	San Bernardo Place	San Fernando Drive	West End
B 13005	2041	Throne Court	Kellogg Avenue	East End
B 12777	2041	University Drive**	Patterson Avenue	West of Bridge 51C-219
B 12656	2041	Vala Drive**	Yaple Avenue	La Ramada Drive
<b>THIRD SUPERVISORIAL DISTRICT</b>				
ISLA VISTA AREA				
B 14995	3042	El Greco Road**	Camino Pescadero	East End
B 14975	3042	Embarcadero Del Mar	Embarcadero Del Norte	El Colegio Road
B 14970	3042	Embarcadero Del Norte	El Colegio Road	Embarcadero Del Mar
B 15115	3042	Estero Road**	Camino Corto	East End
B 15101	3042	Picasso Road	Camino Pescadero	290' East of Camino Del Sur
B 15045	3042	Seville Road**	Camino Pescadero	Embarcadero Del Mar
WEST OF GOLETA (ALT. NO. 2)				
B 16170, B 16175 & B 16180	3001	Calle Real*	El Capitan (Off Ramp)	Refugio Road
SANTA YNEZ AREA				
C 32720	3051	Baseline Avenue*	Refugio Road	4300' East of Refugio Road
C32730	3051	Baseline Avenue	4300' East of Refugio Road	Edison Street
C 30770	3051	Madera Street*	Faraday Street	178' W Faraday Street
C 30760	3051	Manzana Street*	Meadow Vale Lane	Edison Street
C 32270 & C 32280	3051	Roblar Avenue *	Grand Avenue	HWY 154
C32240 (Portion)	3051	Santa Ynez Street *	Grand Avenue	San Marcos Avenue
C 30890	3051	Tivola Street *	Edison Street	Meadowvale Lane
C 30883	3051	Tivola Street *	Cuesta St.	Edison Street
EAST OF LOS ALAMOS				
E5830 (Portion)	3001	Alisos Canyon Road	5.5 Miles North of SH 101	6.0 Miles North of SH 101

SECTION I.D.	ZONE	STREET	FROM	TO
WEST OF LOS ALAMOS				
E 6210	3001	Batchelder Road**	HWY 135	South End
<b>FOURTH SUPERVISORIAL DISTRICT</b>				
MISSION HILLS AREA				
WEST OF BUELLTON				
D 27260	4001	Tularosa Road**	Hwy 246	North End
ORCUTT AREA				
E 1995 & e1998	4081	Blosser Road**	1300' South of City Limit	Solomon Rd
E 8330	4081	Miles Avenue**	Marvin Street	Hillview Road
E 9815	4081	Park Avenue**	Gray Street	Broadway
MISSION HILLS AREA				
D 27540	4072	Via Isla	Calle Lindero	South End
D 27550	4072	Via Parte	Calle Lindero	Calle Nueve
LAKE MARIE ESTATES AREA				
E5140 (Portion)	4082	Clark Avenue *	3340' W Dominion Road	1 Mi W Dominion Rd
E 4970	4082	Mead Lane	Lake Marie Drive	Telephone Road
<b>FIFTH SUPERVISORIAL DISTRICT</b>				
E 2790, E 2800, E 2810, E 2820	5001	Tepusquet Road	Mile Post 12	SH 166
E 5650	5001	Foxen Canyon Road**	Palmer Road	1560' North of Mile Post 22.0

\* Stress Absorbing Membrane Interlayer {SAMI} (Streets) \*\*Asphalt Rubber Seal Coat (Streets)