



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

Agenda Number:

Department Name: Public Works
Department No.: 054
For Agenda Of: October 21, 2014
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Scott D. McGolpin, Public Works Director, 568-3010
Contact Info: Chris Sneddon, Deputy Director, Transportation 568-3064
SUBJECT: Norris and Twitchell Streets Safe Routes to School Project; County Project No. 862371; Fourth Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve plans and specifications for the Construction of Norris and Twitchell Streets Safe Routes to School Project; County Project No. 862371; Fourth Supervisorial District, on file in the Public Works Department office;
- B. Reject the bid protest and award the attached construction contract in the base amount of \$157,970.00 to the lowest responsible bidder, Civic Construction Associates, (not a local vendor) 801 Walker Ave, Camarillo, CA 93010 subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, as required under California Law;
- C. Approve and authorize the Chair to execute the attached construction contract, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives;
- D. Authorize the Director of Public Works or designee to order the performance of itemized supplemental work, as provided in the construction contract, in an amount not to exceed \$15,144.00 for the Norris and Twitchell Streets Safe Routes to School Project; County Project No. 862371; Fourth Supervisorial District;
- E. Authorize the Director of Public Works or designee to approve changes or additions to the work being performed under the construction contract in an amount not to exceed \$17,311.40 for the Norris and Twitchell Streets Safe Routes to School Project; County Project No. 862371; Fourth Supervisorial District; and

- F. Determine that this project was found by your Board to be exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15301 on April 10, 2014, upon approval of the project, that a Notice of Exemption was filed on that basis, and that the proposed action is within the scope of that NOE.

Summary Text:

On September 25, 2014, seven (7) bids were opened for the Norris and Twitchell Streets Safe Routes to School Project; County Project No. 862371; Fourth Supervisorial District. Civic Construction Associates submitted the lowest responsible bid in the amount of \$157,970.00, which is 18.9% below the Engineer’s Estimate. The second lowest bid was 3.6% below the Engineer’s Estimate. This project was bid in accordance with the Public Contract Code, which requires the award go to the lowest responsible bidder.

A bid protest letter from Cooks and Sons, Inc., the second lowest bidder for this construction project, was received by the County on October 2, 2014. The protest letter (Attachment 4) alleges that Civic Construction Associates, the lowest responsive bidder, is not a “responsible bidder.” Public Works has determined that Civic Construction Associates (CCA) was a responsible bidder on the basis that all the requirements of the Contract Special Provisions have been met, the Department has found no records of poor past performance by CCA, and the individual named in the bid protest has no ownership or shares in CCA. The ownership determination is based on a response letter provided by CCA on October 6, 2014 (Attachment 5). The Department has reviewed the protest letter with the assistance of County Counsel, and has determined that the information provided does not alter its original determination. As such, staff recommends that the contract be awarded to Civic Construction Associates as the lowest responsive and responsible bidder, and that the bid protest be rejected.



**Left: View of existing unimproved shoulder along Twitchell Street, looking south toward Orcutt Junior High School
Right: View of existing unimproved shoulder along Twitchell Street, looking north away from Orcutt Academy High School**

Background:

This project includes approximately 1,200 linear feet of sidewalk improvements - approximately 600 feet on the east side of Norris Street and approximately 600 feet on west side of Twitchell Street in the unincorporated area of Orcutt. The project will replace existing uneven dirt shoulders with concrete curbs, gutters, sidewalks and American with Disabilities Act (ADA) compliant curb ramps. The new sidewalks will help children and residents avoid walking in the road to avoid parked cars, driveways,

fences, trees, and other landscaping. Both routes will improve direct access to Orcutt Junior High School and Orcutt Academy High School from Clark Avenue. The project will be constructed within County road right-of-way. Construction is anticipated to have minimal impact on the traveling public.

Construction is scheduled to begin in mid-November 2014 and to be complete in mid-January 2015. Local schools and emergency services will be notified of the project.

Your Board found this project to be exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15301(c) on April 22, 2014. A Notice of Exemption was filed on that basis, and this this proposed action is within the scope of that NOE.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

State Safe Routes to School (SR2SL)	\$171,382.86
Measure A Alternative Transportation	\$19,042.54
Total	\$190,425.40

Narrative:

Total construction costs, including supplemental work and contingencies, amounts to \$190,425.40. State Safe Routes to School (SR2SL) will fund \$171,382.86 (90%) of construction costs. Measure A Alternative Transportation funds will provide the remaining \$19,042.54 (10%). The funds for FY 2014/2015 are budgeted in Dept. 054, Fund 0017, Org. 0600, Program 2830, Account 7510.

Special Instructions:

Please forward the following items to the Public Works Department, Transportation Division, Engineering Section office, 123 E. Anapamu Street, Santa Barbara, Attn: Gena Valentine Felix:

- A certified, stamped Minute Order approving these recommendations
- Two original executed contracts (one original contract to remain on file with the Clerk of the Board)

Attachments:

1. Construction Contract Summary
2. Construction Contract (3 original)
3. Notice of Exemption (Copy from April 22, 2014)
4. Bid Protest
5. Bid Protest Response Letter

Authored by:

Diana Estorga, Project Manager, 739-8763