



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: Public Works
Department No.: 054
For Agenda Of: January 26, 2010
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Scott McGolpin, Department of Public Works, 568-3010
Contact Info: Dacé Morgan, Deputy Director, Transportation, 568-3064
SUBJECT: Construction of Storm Damage Repairs on San Marcos Road at MP 1.7, County Project No. 863046, Federal Project No. ER-4200 (004)

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve the plans and specifications for Construction of Storm Damage Repairs on San Marcos Road at MP 1.7, County Project No. 863046, Federal Project No. ER-4200 (004);
- B. Award the construction contract in the amount of \$149,225.00 to the lowest responsive bidder, Tierra Contracting (a local vendor), 5484 Overpass Road, Santa Barbara, California, 93111, 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 County Counsel, Auditor-Controller, Risk Manager or their authorized representatives; and
- D. Approve a contingency fund in the amount of \$14,922.50 for Construction of Storm Damage Repairs on San Marcos Road at MP1.7, County Project No. 863046, Federal Project No. ER-4200 (004).

Summary Text:

On Tuesday, December 29, 2009, fourteen (14) bids were opened for the Construction of Storm Damage Repairs on San Marcos Road at MP 1.7, County Project No. 863046, Federal Project No. ER-4200 (004). The lowest responsive bid was submitted by Tierra Contracting, a California Corporation, in the amount of \$149,225.00, which is 37% below the Engineer's Estimate. The low bid can be attributed to

the favorable bidding climate that currently exists.

After review and analysis of the bid and the protest filed by Brough Construction, Public Works staff and County Counsel recommend that your Board find that the bid is responsive and that the inadvertent technical error in the subcontracting information submitted with the bid is an immaterial error which conferred no competitive advantage on the low bidder and did not affect the final bid amount. Tierra erroneously included a separate, smaller item of work to be performed by Baiba's Safety Service in the total amount listed on the Designated Subcontracting Information Sheets. However, these forms still meet the legal requirement for designating subcontractors performing more than 1/2 of one percent of the total contract amount. In light of the minor and technical nature of the error, there appears to be no reason to deny the taxpayers the benefit of the low bid. Accordingly, Public Works recommends awarding this project to Tierra Contracting.

This project will repair a down slope failure impinging on the shoulder of San Marcos Road at Mile Post 1.7 north from Cathedral Oaks Road. Repairs include a soldier pile wall to support the slope, repairs to a culvert and over side drain, and installation of guard rail.

During construction, temporary traffic controls with flaggers will be in place, and minor delays can be expected.



San Marcos Storm Damage Repair Site at Mile Post 1.7 north from Cathedral Oaks Rd.

Background:

On January 27, 2009, the Board approved and authorized the Director of Public Works to advertise for the Construction of Storm Damage Repairs on San Marcos Road at MP 1.7 Project. Public Works then went through the construction authorization process with Caltrans and applied for a time extension to

construct the project in the current fiscal year. The time extension was approved and this project received authorization to proceed with construction from Caltrans on September 3, 2009.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State: Cal-EMA	\$ 18,827.72		\$ 18,827.72
Federal: FHWA	\$ 145,319.78		\$ 145,319.78
Fees:			
Other:			
Total	\$ 164,147.50	\$ -	\$ 164,147.50

Narrative:

This project will be allocated through the FHWA Emergency Repair program administered by the State of California, Department of Transportation, which will fund 88.53% of the construction costs; Cal-EMA will fund the remaining 11.47%.

Total construction costs, including contingencies, amount to \$164,147.50.

Funds for this project are budgeted in Fund 0016, Org Unit 0500, Program 2920, Department 054, Account 7510.

Staffing Impacts:

Legal Positions:
None

FTEs:
None

Special Instructions:

Please provide a certified stamped Minute Order approving these actions to the Public Works, Transportation Division, Engineering Section, Attention: Beverly Cross, 568-3094.

Attachments:

Draft Contract - Storm Damage Repairs on San Marcos Road at MP 1.7, County Project No. 863046, Federal Project No. ER-4200 (004).

Authored by:

Chris Sneddon, Engineering and Traffic Section Manager, Transportation Division, 568-3047