



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: July 7, 2009  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**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 2009 American Recovery and Reinvestment Act (ARRA)  
Miscellaneous Concrete Repair in Supervisorial Districts 2, 3 and 4 in the County  
of Santa Barbara, County Project No. 820619**

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**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. Find the bid of G. Sosa Construction, Inc. for Construction of 2009 American Recovery and Reinvestment Act (ARRA) Miscellaneous Concrete Repair in Supervisorial Districts 2, 3 and 4 of the County of Santa Barbara, County Project No. 820619 to be nonresponsive;
- B. Award the construction contract in the amount of \$475,637.00 to the lowest responsive bidder, D-KAL Engineering, Inc., (Not a Local Vendor) subject to the provisions of documents and certification as set forth in the plans 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, Auditor-Controller, Risk Manager or their authorized representatives; and
- D. Approve a contingency fund in the amount of \$36,281.85 for Construction of 2009 American Recovery and Reinvestment Act (ARRA) Miscellaneous Concrete Repair in Supervisorial Districts 2, 3 and 4 of the County of Santa Barbara, County Project No. 820619.

**Summary Text:**

On Tuesday, June 9, 2009, six (6) bids were opened for the Construction of 2009 American Recovery and Reinvestment Act (ARRA) Miscellaneous Concrete Repair in Supervisorial Districts 2, 3 and 4 of the County of Santa Barbara, County Project No. 820619. The lowest bid was submitted by G. Sosa Construction, Inc., in the amount of \$394,366.50, which is 34% below the Engineer’s Estimate. However, G. Sosa Construction failed to submit UDBE Commitment Submittal (Exhibit 15-G(1)) before 4:00 p.m. on the 4<sup>th</sup> business day after bid opening (page 205, Section 2 of Special Provisions). County specifications, based on California Department of Transportation (Caltrans) and ARRA requirements, state that if this form is not completed and submitted within the specified time, the bid will be deemed nonresponsive. The Caltrans Local Assistance Procedures Manual for these projects also states that this form “must be signed and dated by the person bidding.”

The lowest responsive bid was submitted by D-KAL Engineering, Inc., in the amount of \$475,637.00, which is 21% below the Engineer’s Estimate. The low bid can be attributed to the favorable bidding climate prior to the market being flooded with Economic Stimulus Projects from other jurisdictions. Public Works staff has performed an analysis of the bid received and has determined that the bid is responsive and reasonable, and recommends awarding this contract to D-KAL Engineering, Inc.

The proposed project is located in the unincorporated areas of Goleta, Vandenberg Village and Orcutt. This project will repair 1,830 linear feet of sidewalk, 810 linear feet of curb and gutter, 211 square yards of cross gutter and spandrel and 431 square yards of driveways. The project will also install 21 new curb ramps and 3,825 linear feet of new infill sidewalk.

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



*Typical site for concrete repairs; at this site the spandrel will be repaired and a new ADA-compliant curb ramp will be constructed.*

**Background:**

Authority for the Director of Public Works to advertise for construction bids for the 2009 American Recovery and Reinvestment Act (ARRA), CEQA Notice of Exemptions and concrete repair locations were approved by your Board on February 17, 2009. This project received Authority for Construction approval from Caltrans on May 5, 2009. Project locations are attached for your information.

**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:			
Federal:			\$ 511,918.85
Fees:			
Other:			
Total	\$ -	\$ -	\$ 511,918.85

**Narrative:**

This project will be allocated through 2009 American Recovery and Reinvestment Act (ARRA) program administered by the State of California, Department of Transportation, which will fund 100% of the cost. No local funding is being utilized.

Total project funds including contingencies, amounts to \$ 511,918.85.

Funds for this project are budgeted in Fund 0016, Org Unit 0500, Program 2720, Department 054, and Account 7510.

**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:**

Attachment A: Miscellaneous Concrete Repair Locations List

Attachment B: Draft Contract for 2009 ARRA Miscellaneous Concrete Repair

**Authored by:**

Jonathan Fernandez, Project Manager, Transportation Division, 739-8770