

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Agenda Number:
Prepared on: April 2, 2004
Department Name: Public Works - Transportation
Department No.: 054
Agenda Date: May 25, 2004
Placement: Administrative
Estimate Time:
Continued Item: Yes
If Yes, date from: 05/04/04 & 05/04/18/04

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF CONTACT: Gary Christiansen, 568-3064
Maintenance Manager, Transportation Division

SUBJECT: Construction of 2003/2004 County Wide Measure 'D' Pavement Rehabilitation (Asphalt Concrete Overlay, SAMI, and Asphalt-Rubber Seal Coat), in the Various Supervisorial Districts of Santa Barbara County; Public Works Project No. 810499.

Recommendation(s):

That the Board of Supervisors:

- A. Reject all bids for the Construction of 2003/2004 County Wide Measure 'D' Pavement Rehabilitation (Asphalt Concrete Overlay, SAMI, and Asphalt-Rubber Seal Coat), in the Various Supervisorial Districts of Santa Barbara County; Public Works Project No. 810499 and advertise for new bids in a manner specified in Article 25, Section 20395 of California Public Contract Code;
- B. Approve the use of County Forces to complete the Asphalt Concrete Leveling Course, Digout and Replace Failed Pavement Areas and Pavement Delineation Portions of the Project in accordance with Section 20395 (c) of the California Public Contract Code;
- C. Approve the Project and Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the Construction of 2003/2004 Countywide Measure 'D' Asphalt Concrete Overlay in all Supervisorial Districts of Santa Barbara County, Public Works Project No. 810517;

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, February 26, 2004, three (3) bids were opened for the Construction of 2003/2004 County Wide Measure 'D' Pavement Rehabilitation (Asphalt Concrete Overlay, Stress Absorbing Membrane Interlayer (SAMI), and Asphalt-Rubber Seal Coat),

in the Various Supervisorial Districts of Santa Barbara County; Public Works Project No. 810499. The lowest bid received totaled \$2,436,740.

Your Board is aware that the Department leverages our local funding to capitalize on State and Federal Transportation grants. The grant programs require the Department to incur costs before invoices can be submitted to the State for reimbursement. The State is taking the maximum amount of time (30 days) under the statute to pay our invoices, however, by requesting minor corrections to the invoices the State starts the statute clock all over again. Over the last four (4) months the Department has over \$6 million in receivable funding invoiced to the State of California. This issue has caused a cash flow problem for the Department and together with the State's taking of Transportation funds has caused budgetary concerns both in FY 03/04 and 04/05.

The Department recommends rejecting all three bids for this project due to the State's impact on the Road Fund, and in accordance with Section 20395 of the California Public Contract Code that allows for re-advertising for new bids in a manner specified in Article 25.

At this time Public Works staff is assembling contract documents for completing this project work through a combination of internal forces and contract work. County maintenance staff will be utilized full-time with Contractors to complete this Measure 'D' project. Corrective maintenance activities such as tree trimming, shoulder mowing and crack sealing will be reduced in an equal amount due to the recommended change in staff priorities. Public Works staff has contacted other Counties throughout the State finding that local agencies are performing this type of maintenance work with their own internal county Maintenance forces as well. Section 20395 (c) of the California Public Contract Code states that, "The work may be done in any of the following ways: (c) by purchasing the material and having the work done by day labor, in which case advertising for bids is not required". As proposed, staff would contract for the supply of Asphalt Concrete (AC), the process of cold planning the existing roadway surface, the placement of pavement fabric and oil, AC Overlay, Shoulder Backing and the placement of AC Berms. County staff will be responsible for the maintenance portions of the contract which are; AC digouts, AC leveling of the existing roadway and final pavement delineation.

The recommended action involves a contract reduction of approximately \$800,000 which includes the elimination of the SAMI and Asphalt-Rubber Seal Coat from the contract. Once the State reimbursement to our Road Fund stabilizes, then the Department will advertise for the SAMI and Asphalt-Rubber Seal Coat treatments. The Public Works Department views the recommendation actions as an extraordinary event promulgated by State budgetary and policy actions. It is the Department's hope that these actions are temporary and that when the State restores the voter approved AB2928/Prop 42 transportation funds that the Department will continue to contract as we have done in the past.

Pursuant to the County's CEQA guidelines, this project has been determined to be exempt from further environmental review. Approval of the Notice of Exemption shall indicate the Board of Supervisor's approval of this project and will commence the appeal period, pursuant to CEQA guidelines.

The "Notice to Contractors" will be published prior to the date set for the opening of the bids. Sealed proposals to construct this project will be received at the Public Works Conference Room, Santa Barbara County, Department of Public Works, County Engineering Building, 123 East Anapamu Street, Santa Barbara, California and at the North County Public Works office, 2400 Professional Parkway, Suite 150, Santa Maria, California, at a date to be determined, and will be opened publicly and read aloud.

The streets contained in this project were approved by your Board in the 2003/2004 Road Maintenance Annual Plan (RdMap).

Mandates and Service Levels:

The Board's rejection of the bids for this project and Public Works' use of County forces to complete this preventive maintenance project will result in the need to prioritize corrective maintenance work. Public Safety for the traveling public will be the highest priority for corrective maintenance work. In any event, reductions in corrective maintenance will be a reality due to the funding shortfalls in the Road Fund due to the impacts of the State's budget.

Fiscal and Facilities Impacts:

Portions of this contract can be completed by county Maintenance forces, which would reduce the total contract expenditure required for this project by \$500,000. This contract savings would be used instead to fund existing staff that would be assigned to the maintenance work of this contract. This contract reduction, in addition to the elimination of the SAMI and Asphalt-Rubber Seal Coat from the contract, would total \$800,000. The SAMI and Asphalt-Rubber Seal Coat portion of the contract will be advertised for bids in the future when reimbursements to the Road Fund from the State become more consistent.

Special Instructions:

After Board action, please distribute a certified stamped Minute Order approving the action to Public Works, Transportation Division, Attn: Cecelia Barnes. In addition, after Board action, please file a copy of the Categorical Exemption (CEQA) with the County Clerk of the Board to begin a 35-day statute of limitations on legal challenges.

Concurrence:

None