



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: April 21, 2009
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Scott McGolpin, Public Works Director, 568-3010
Contact Info: Dacé Morgan, Deputy Director, Transportation, 568-3064
SUBJECT: **Establish Purchasing Agreements with Vendors for the Supply of Aggregates, Hot Mix Asphalts, and Concrete, and Resolution to Allow for Sole-Source Specification of The Rejuvenating Agent Polymer Used in the Construction and Maintenance of County Maintained Roads, all Supervisorial Districts**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Purchasing

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Find that PA-AS-1 Polymer be specified by name in all contracts utilizing this technology as this specific polymer is (1) an essential item and (2) available from only one source; and
- B. Adopt a Resolution finding that the PA-AS-1 polymer should be designated by name in all contracts that utilize this technology
- C. Approve a waiver of bids that allows the Purchasing Agent to procure aggregate materials, hot mix asphalts (HMA) and concrete used in the repair and construction of County infrastructure on an as-needed basis;
- D. Make the waiver effective through June 30, 2011;

Summary Text:

Waiver of Bids for Aggregate, Hot Mix Asphalts, and Concrete

The timely application of surface treatments is vital to preserving the County’s investment in our Transportation Infrastructure. In order to respond quickly when the condition of a road is compromised, the Public Works Department needs to have the ability to procure materials used in construction, maintenance and emergency repair of the County’s Transportation Infrastructure. These materials are purchased from local vendors as well as a vendor in Ventura County. Proximity to the job site determines which vendor is utilized to supply the needed materials. This is critical when purchasing hot mix asphalt as it performs better, is easier to work with and has a better finish when it is delivered to the job site at the temperature required by specification. Vendor location is also important when considering the delivery costs of aggregate materials; therefore, the Department needs to receive mix from Vulcan Materials Company, whose plant is located in Oxnard, when working in the southern portion of the County.

The need for material suppliers located south of Gaviota is evidenced by the inaccessibility of portions of the County during such disasters as storm events, fires and chemical spills. The waiver of bids is requested for aggregate materials due to the cost of these items having exceeded the amount at which the Purchasing Agent, without additional Board authority, can waive bidding. The waiver is not for sole source purchases, but allows the Public Works Department to expedite the purchase of material from vendors without the \$25,000 limit.

The Department requests that the following limits for purchasing aggregates, hot mix asphalt, and concrete be applied to the following vendors:

	Current Limit	Proposed Limit	Location of Use
Granite Construction Company (Local Vendor)	\$350,000.	\$500,000.	Countywide
Calportland (Formerly Union Asphalt)(Local Vendor)	\$500,000.	\$500,000.	North and Central County
Hansen Aggregates Inc. (Local Vendor)	\$500,000.	\$500,000.	North and Central County
Vulcan Materials Company (Ventura County)	\$25,000.	\$500,000.	South Coast

These dollar amounts are based on the amount of materials purchased from these various vendors annually Countywide, for our Transportation Infrastructure.

Resolution of Findings Regarding PA-AS-1

Public Contract Code §3400(b)(3) allows for specifying a necessary product that is available from only one source. Past scrub seal and micro-surfacing projects in the County have used the PA-AS-1 polymer to increase the flexibility and longevity of pavement and decrease reflective cracking through seal coats on our County Transportation Infrastructure System. This polymer has also been used successfully as part of our Countywide Fog Seal program. The PA-AS-1 Polymer maintains its structural integrity, flexibility and ductility, while remaining unaffected by the influence of a recycling agent; there is no other product that is equal in this regard. Based on the Department's experience, the PA-AS-1 Polymer has been a superior product and has been an integral part of our Pavement Preservation Program for maintaining our Transportation Infrastructure throughout the County. The specific properties of this brand name product allow the County to use a single seal coat methodology over a wide range of pavement conditions, and has produced durable and uniform seal coats for multiple years. The range of pavement conditions for which this brand name product can be used, is further increased by the support of the manufacturer on site during construction, where they can make field adjustments that are tailored to each road condition, the type of aggregate available, and other local conditions such as temperature and climate. The use of the PA-AS-1 Polymer has allowed the County to save an estimated \$150,000 per year by eliminating the need for crack sealing on candidate roadways, which has freed 480 hours per year of County crews' time, allowing them to complete other vital road maintenance work.

There is no clear-cut way to test non-name brand materials in order to ensure contract compliance during construction. Many expensive and time-consuming tests (some 14-day), would need to be run if these products were to be allowed. To be cost effective and efficient, such a rigorous daily testing regime would not be feasible. Furthermore, the County would potentially have to remediate the numerous lane miles that were seal coated with improper materials in the two weeks (or more) of testing. This would be a significant waste of County funds in the form of labor and materials, as well as a safety concern and inconvenience for the traveling public.

The Public Works Department recommends that your Board make the findings, and adopt a Resolution stating, that (1) the PA-AS-1 Polymer has shown to be far superior to other products commonly submitted as "equals", (2) the PA-AS-1 Polymer has been extensively tested in the field by the County of Santa Barbara and found to be durable and satisfactory, (3) unbranded emulsions are subject to substitution by cheaper materials during construction without the project manager's knowledge due to the 14-day testing period, which would have a significant impact to public convenience and safety, and (4) unbranded products used in the past, locally and throughout the State of California, have not been adequately supported by their suppliers when corrective action is necessary.

Background:

Waiver of Bids for Aggregate, Hot Mix Asphalts, and Concrete

Based on State Law and County Code sections adopted by your Board, the Purchasing Agent is required to go to formal bid for any item that may exceed \$25,000, for any group of items from a single vendor. The blanket waiver will allow the Purchasing Agent to proceed legally, and without the delays associated with requiring waivers on a daily basis. This process will allow the Public Works Department to respond quickly to the needs of the Maintained System and better serve the traveling public.

Resolution of Findings Regarding PA-AS-1

Scrub seals with micro-surfacing projects are one of the strategies the Department employs in its annual Pavement Preservation Program. Scrub sealing is a process by which a polymer modified asphaltic emulsion with rejuvenating agent is applied to the existing pavement surface. A specifically designed drag broom is then pulled through the emulsion, filling the cracks and voids, followed by the placement of various sized aggregate, which are rolled by pneumatic tire compactors. This process is followed by micro-surfacing, which is placed on top of the scrub seal. Micro-surfacing is a mixture of polymer modified asphalt emulsion, mineral aggregate and filler, which provides a smoother finished surface. The flexible and rejuvenating aspects of this scrub seal extends pavement life by ‘healing’ and filling the cracks, so that when a surface coat is applied, the underlying pavement can retain its strength and structure for years longer than it would if the cracks were allowed to propagate.

There are multiple types of rejuvenating agents in various forms of development available for this work. The Department typically follows Caltrans’ standard specifications or special provisions for designation of material types. Because the technology associated with the rejuvenating agents continues to evolve, Caltrans has not developed definitive performance based specifications for this material. In the absence of these specifications, the Department relies on communication with other local agencies, working groups, and past experience within the County, to determine the best materials to use. The Department has previously used this product in two Countywide scrub seal and micro-surfacing projects with favorable results. It has been used for five years as part of our Fog Seal Program, and it was recently used on West Camino Cielo to repair damage that resulted from the GAP fire. The continued use of the PA-AS-1 Polymer will allow the County to match completed infrastructure improvements, and avoid any future compatibility issues and their associated costs. This treatment is cost effective compared to conventional treatments, and has been accepted by residents and the traveling public on the County’s road system. The Department recommends that your Board adopt a Resolution to specify the use of PA-AS-1 Polymer in all contracts that utilize this technology.

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			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

There are no direct fiscal impacts as a result of this action. All work and related expenditures for materials have been budgeted in Department 054 as part of operations and capital maintenance activities.

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Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Please forward a certified, stamped Minute Order approving this item to Gena Valentine Felix in the Public Works Department, Transportation, x3064.

Attachments:

Resolution finding that the PA-AS-1 Polymer should be designated by name in all contracts that utilize this technology

Authored by:

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Chris Sneddon, Engineering Section Manager, Public Works – Transportation, x 3047