



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: 03/18/2014
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Scott McGolpin, Director x 3010
Director(s)
Contact Info: Mark Schleich, Deputy Director x 3605
SUBJECT: **Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358, Third Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A) For the award of the construction contract:
1. Approve plans and specifications for construction of the Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358; and
 2. Award the construction contract in the amount of \$5,765,037.85 (this includes \$200,000 in Supplemental Work in addition to the bid amount of \$5,565,037.85) to the lowest responsible bidder, Papich Construction, Inc. subject to the provisions of documents and certification, as set forth in the plans and specifications applicable to the project, as required under California Law; and
 3. Approve and authorize the Chair to execute the construction contract upon return of the Contractor's executed contract documents and the approval of County Counsel, Auditor-Controller and Risk Management or their authorized representatives; and
 4. Approve a contingency in the amount of \$210,000.00 for construction of the Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358.
- B) For the acquisition of professional consulting services:
1. Approve and authorize the Chair to execute a contract for Construction Management services with the engineering firm of SWT Engineering, Inc. for the construction of the Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358, for a base

contract amount of \$259,697.00, with a contingency of \$12,985.00, for a total project authorization of \$272,682.00; and

2. Approve and authorize the Chair to execute a contract for Construction Quality Assurance services with the engineering firm of Geosyntec Consultants for the construction of the Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358, for a base contract amount of \$198,400.00, with a contingency of \$25,000.00, for a total project authorization of \$223,400.00.

- C) Find pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, no substantial changes are proposed, there are no substantial changes in circumstances, and no new information of substantial importance has come to light regarding environmental effects of the Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358, or the sufficiency or feasibility of mitigation measures, and therefore, the approval of the construction and professional services agreements are within the scope of the project covered by the Tajiguas Landfill Expansion Project Environmental Impact Report (01-EIR-05) certified by the Board of Supervisors on August 13, 2002, and the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Final Subsequent EIR (08-EIR-00000-00007) certified by the Board on May 5, 2009, and no subsequent EIR or negative declaration is required.

Summary Text:

This project involves the movement of 800,000 cubic yards of dirt and the placement of an impervious liner on 6 acres of the Tajiguas Landfill. As the Tajiguas Landfill air space is consumed, it is necessary to provide additional lined area for acceptance of new waste. This project will provide additional landfill air space within the permitted capacity. High standards for construction of the liner are critical to protect ground water. The Regional Water Quality Control Board requires that we provide third party Construction Quality Assurance. Your Board's approval of this item will award the project for construction of the Phase IIIB Groundwater Protection System and retain the consultants required for construction administration and quality control.

Papich Construction, Inc.

On February 20, 2014, four bids were opened for the construction of the Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358, Supervisorial District 3. Papich Construction, Inc. submitted the lowest bid in the amount of \$5,565,037.85 (not including Supplemental work). The second and third lowest bids were 3.8% and 4.5% higher respectively so the bids were reasonable and competitive.

A bid protest letter from Raminha Construction, Inc., the second lowest bidder for this construction project, was received by the County on February 25, 2014 with a copy provided to Papich Construction. Papich provided a response letter to the County on March 3, 2014 intending to clarify their bid for the project and addressing the concerns raised in the protest letter. The County reviewed the protest and response letters and requested that Papich provide additional information and documentation. The County received the information and with the assistance of County Counsel reviewed the information to determine if the bid met the requirement of the Public Contract Code and that the interests of the County were protected. Staff concluded that the Papich bid met these criteria and recommends the award of the

project to Papich Construction and rejection of the protest letter filed. This information is on file with the Public Works Department Resource Recovery and Waste Management Division.

Papich Construction's original total bid price of \$5,599,999.00 (not including supplemental work) as shown in the Papich Construction Proposal was changed to \$5,565,037.85 (34,961.35 reduction) due to a discrepancy between the unit price and the item total for bid item 32D. This change was made in accordance with the bid book which states, "If a discrepancy between the unit prices and item total exists, the unit price prevails..."

This construction contract was bid in accordance with the Public Contract Code, which requires the award to the lowest responsible bidder. Papich Construction, Inc. has successfully completed similar contracts with the County on earlier phases of construction at the Tajiguas Landfill. These contracts were completed on time, under budget and without claims. Staff recommends the award of this construction contract to Papich Construction, Inc.

SWT Engineering, Inc.

The proposed award of the contract for Construction Management services during construction to SWT Engineering, Inc. follows their contract to design and prepare the bid documents for the Tajiguas Landfill Phase IIIB Groundwater Protection System contract. SWT Engineering, Inc.'s intimate knowledge of the Tajiguas Landfill, their experience providing Construction Management services for the County and their responsibility for the design demonstrate competence and professional qualification to provide Construction Management services for this construction contract.

Geosyntec Consultants

The proposed award of the contract for Construction Quality Assurance services to Geosyntec Consultants is due to their demonstrated competence and professional qualification based on prior contracts to develop and implement the Construction Quality Assurance plan for the Tajiguas Landfill Phase IIA, IIB, IIC, and IIIA Groundwater Protection System contracts. Their specific knowledge of the Tajiguas Landfill and their experience providing Construction Quality Assurance services for us, makes them the appropriate company to provide Construction Quality Assurance services for this construction contract.

Environmental Review

The Tajiguas Landfill Phase IIIB Groundwater Protection System project is a component of the project analyzed in the Tajiguas Landfill Expansion Project EIR (01-EIR-05) and Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Subsequent EIR (08-EIR-00000-00007) certified by the Board of Supervisors on August 13, 2002 and May 5, 2009 respectively. A change in the proposed location of temporary soil stockpiles is proposed in association with the Tajiguas Landfill Phase IIIB Groundwater Protection System project. Pursuant to CEQA Guidelines Section 15162 (see attached determination) no new significant environmental effects would occur, previously identified environmental effects will not increase in severity, and no new information of substantial importance will require revisions to the previously approved EIRs in association with this change. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15162, preparation of a subsequent Environmental Impact Report or Negative Declaration is not required.

Background:

In 2009, Resource Recovery and Waste Management Division of the Public Works Department received all permits and regulatory approvals to reconfigure the 2003 Tajiguas Landfill Expansion Project. The reconfiguration provides a significant cost reduction due to a decrease in earthmoving activities.

Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358 is one phase of the approved and permitted Tajiguas Landfill Reconfiguration Project and it includes the construction of an impervious liner with the installation of a liquid collection system above the liner. The liners and liquid collection systems are required by State Regulations to protect groundwater.

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			
Enterprise Fund	\$ 3,005,000.00	\$ 3,466,120.00	\$ 6,471,120.00
Total	\$ 3,005,000.00	\$ 3,466,120.00	\$ 6,471,120.00

Narrative:

Expenditures for this contract will occur over two fiscal years and are included the Resource Recovery & Waste Mgt. Enterprise Fund’s 2013/14 budget and the 2014/15 recommended budget in Capital Line Item Account 8200. Each portion of the Tajiguas Landfill Phased Expansion Project has been incorporated into the Division’s 15 year financial forecast and will be funded by Tajiguas Landfill tipping fees.

Special Instructions:

Please send certified stamped copies of the minute order to Mark Schleich, Imelda Cragin and Colleen Hankins in the Resource Recovery and Waste Management Division of the Public Works Department. Please return two original signed agreements for construction support services and two original signed agreements for construction quality assurance services to Imelda Cragin in the Resource Recovery and Waste Management Division of the Public Works Department.

Attachments:

1. The plans and specifications for construction of the Tajiguas Landfill Phase IIIB Groundwater Protection System, County Project No. 828358 (Disk)
2. The Tajiguas Landfill Expansion Project EIR (01-EIR-05) and Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Subsequent EIR (08-EIR-00000-00007) (Disk)
3. Contract (Draft copy) Papich Construction.
4. Papich Construction Proposal
5. Three original signed copies of the Agreement for Construction Management Services of Independent Contractor, SWT Engineering, Inc.

6. Three original signed copies of the Agreement for Construction Quality Assurance Services of Independent Contractor Geosyntec Consultants.
7. CEQA Guidelines Section 15162 determination

Authored by:

Travis Spier, Public Works Department x5626