



## Legislation Details (With Board Report)

<b>File #:</b>	A 22-517	<b>Name:</b>	Award San Juan Grade Slope Repair Project to Kraemer Engineering.
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Passed
<b>File created:</b>	9/20/2022	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	10/4/2022	<b>Final action:</b>	10/4/2022
<b>Title:</b>	<p>a. Award a contract to Kraemer Engineering, Inc. the lowest responsible bidder, for the San Juan Grade Road Slope Repair at MP 8.63, Project No. 6111, in the total amount of \$232,414;</p> <p>b. Approve the Performance and Payment Bonds executed and provided by Kraemer Engineering, Inc.;</p> <p>c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$23,241 to provide funding for approved contract change orders;</p> <p>d. Authorize the Director of Public Works, Facilities and Parks to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work;</p> <p>e. Authorize the Director of Public Works, Facilities and Parks or the Director's designee to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director or the Director's designee determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of the San Juan Grade Road Slope Repair at MP 8.63, Project No. 6111; and</p> <p>f. Add the San Juan Grade Road Slope Repair at MP 8.63 Project No. 6111 (Project) to the Adopted FY 2022/2023 Annual Work Program for Road Fund.</p>		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - Contract, Bonds and Insurance, 3. Attachment B - Project Budget, 4. Attachment C - Bid Summary, 5. Attachment D - Location Map, 6. Completed Board Order Item No. 31

Date	Ver.	Action By	Action	Result
10/4/2022	1	Board of Supervisors	approved	

a. Award a contract to Kraemer Engineering, Inc. the lowest responsible bidder, for the San Juan Grade Road Slope Repair at MP 8.63, Project No. 6111, in the total amount of \$232,414;

b. Approve the Performance and Payment Bonds executed and provided by Kraemer Engineering, Inc.;

c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$23,241 to provide funding for approved contract change orders;

d. Authorize the Director of Public Works, Facilities and Parks to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work;

e. Authorize the Director of Public Works, Facilities and Parks or the Director's designee to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director or the Director's designee determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of the San Juan Grade Road Slope Repair at MP 8.63, Project No. 6111; and

f. Add the San Juan Grade Road Slope Repair at MP 8.63 Project No. 6111 (Project) to the Adopted FY 2022/2023 Annual Work Program for Road Fund.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Award a contract to Kraemer Engineering, Inc. the lowest responsible bidder, for the San Juan Grade Road Slope Repair at MP 8.63, Project No. 6111, in the total amount of \$232,414;
- b. Approve the Performance and Payment Bonds executed and provided by Kraemer Engineering, Inc.;
- c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$23,241 to provide funding for approved contract change orders;
- d. Authorize the Director of Public Works, Facilities and Parks to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work;
- e. Authorize the Director of Public Works, Facilities and Parks or the Director's designee to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director or the Director's designee determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of the San Juan Grade Road Slope Repair at MP 8.63, Project No. 6111; and
- f. Add the San Juan Grade Road Slope Repair at MP 8.63 Project No. 6111 (Project) to the Adopted FY 2022/2023 Annual Work Program for Road Fund.

#### SUMMARY/DISCUSSION:

The San Juan Grade Road Slope Repair at MP 8.63 Project No. 6111 (Project) is located northeast of the City of Salinas. The Project consists of the installation of a block wall system, drainage system, slope repair and roadway paving, including but not limited to clearing and grubbing, and traffic control. Project limits are along San Juan Grade Road three and a half (3.5) miles north of the intersection with Crazy Horse Canyon Road.

On June 7, 2022, the Board of Supervisors approved the Plans and Special Provisions for the Project. The Project was subsequently advertised, and bids were opened on July 8, 2022. A total of three (3) bids were submitted for the Project. The lowest bidder was Rehak General Engineering with a bid of \$202,757. The second lowest bidder was Kraemer Engineering, Inc. with a bid of \$232,413.96. The third bidder was Graniterock with a bid amount of \$236,820. Upon review of the Disadvantage Business Enterprise (DBE) participation commitment goals and the bidders subsequent Good Faith Effort (GFE) the County, with Caltrans concurrence, deemed Rehak Engineering to be not responsible or responsive for not meeting the contract goal and not providing a satisfactory GFE. The County has deemed Kraemer Engineering the lowest responsible, responsive bidder with a bid of \$232,413.96.

In compliance with the California Environmental Quality Act (CEQA), the Monterey County Department of Public Works, Facilities & Parks (PWFP) has determined that the Project is categorically exempt (Class 1) from CEQA because it is to perform repair and maintenance of existing streets and similar facilities which involves no expansion of an existing use (See CCR § 15301 Existing Facilities). Caltrans, as the designated lead for the National Environmental Policy Act (NEPA), determined that the Project is categorically excluded from having to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). Caltrans approved the NEPA Categorical Exemption/Categorical Exclusion Determination on February 8, 2018.

Construction is anticipated to begin next month and scheduled to take thirty (30) working days, with anticipated completion in FY 2022-23.

#### OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management, and Auditor-Controller have reviewed and approved the Special Provisions as to form and insurance and indemnification provisions, and fiscal provisions, respectively.

#### FINANCING:

The total estimated Project cost, including Preliminary Engineering (PE), and Construction Engineering (CE), and Construction including contingency is \$537,600. The current FY2022-23 Federal Highways Administration (FHWA) budget plus local match includes \$537,600 in appropriations, for PE and CE. Overall, the Project is funded and is expected to be completed in FY2022-23.

The Project is 88.53% funded through the Federal Highway (FHWA) Emergency Restoration (\$476,589) and a 11.47% funded through local match Measure X of \$61,011. See Attachment B for further details on the Project budget. There are currently sufficient appropriations in the amount in the Adopted FY2022-23 Road Fund 002, Appropriation Unit PFP 004 Budget to finance the construction phase of the Project. The Project was included in the FY 2021-2022 Capital Improvement Program but inadvertently not included in the FY 2022-2023 Capital Improvement Program; thus, staff is requesting adding this back into the FY 2022/2023 Annual Work Program for Road Fund.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

The Project will repair the damaged roadway sloped area by buttressing the slope and restoring the roadway drainage facilities. The recommended action supports the following Board of Supervisors' Strategic Initiative:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Kyle Oyama, Project Manager II, (831) 755-5090

Reviewed by: Tom Bonigut, PE, Assistant Director of Public Works, Facilities, & Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, & Parks

The following attachments are on file with the Clerk of the Board:

Attachment A - Contract, Bonds, and Insurance

Attachment B - Project Budget

Attachment C - Bid Summary

Attachment D - Location Map