



County of Monterey

Board Report

Legistar File Number: 24-627

Item No.

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

September 24, 2024

Introduced: 9/9/2024

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve award of a contract to The Don Chapin Company, Inc., the lowest responsible bidder to construct the Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8667, (Federal Project No. 5944 (135)) in the total amount of \$ 3,471,000;
- b. Approve the Performance and Payment Bonds executed and provided by The Don Chapin Company, Inc.;
- c. Authorize a contingency, not to exceed ten percent of the contract amount or \$ 347,100, 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 and Board Policies as applicable, approve change orders to the contract that do not exceed 10% (\$347,100) of the original contract amount and do not significantly change the scope of work, not to exceed the term maximum of \$3,812,000; and
- e. Authorize the Director of Public Works, Facilities and Parks to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8667, Federal Project No. 5944 (135).

California Environmental Quality Act (CEQA): In compliance with the California Environmental Quality Act (CEQA), the Monterey County Planning Commission adopted a Subsequent Mitigated Negative Declaration (MND) and approved a Combined Development Permit (RMA-Planning File No. PLN140903) on January 14, 2015. On the basis of the record as a whole, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Subsequent Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

It is recommended that the Board of Supervisors:

- a. Approve award of a contract to The Don Chapin Company, Inc., the lowest responsible bidder to construct the Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8667, (Federal Project No. 5944 (135)) in the total amount of \$3,417,000;
- b. Approve the Performance and Payment Bonds executed and provided by The Don Chapin Company, Inc.;
- c. Authorize a contingency, not to exceed 10% of the contract amount or \$347,100, 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 and Board Policies as applicable, approve change orders to the contract that do not exceed 10% (\$347,100) of the original contract amount and do not significantly change the scope of work, not to exceed the term maximum of \$3,812,000;

- e. Authorize the Director of Public Works, Facilities and Parks to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8667, Federal Project No. 5944 (135).

SUMMARY/DISCUSSION:

The Las Lomas Drive Bicycle Lane and Pedestrian Project (the Project) consists of constructing approximately 1,320 linear feet of sidewalks between Sill Road and Las Lomas Drive, Class II (striped) bike lanes, curb, gutter, road widening, driveway conforms, retaining wall and bioretention facility in the community of Las Lomas. A Location Map is presented in Attachment A. The County was awarded a combined State and Federal Active Transportation Program (ATP) grant of \$2,894,000 for construction of the Project.

On May 21, 2024, the Board of Supervisors adopted Plans and Special Provisions for the Project; authorized the Director of Public Works, Facilities and Parks to advertise the “Notice to Bidders” in the Monterey County Weekly; approved three (3) Agreements for Purchase of Real Property to purchase temporary construction easements (TCEs) for an amount totaling \$19,800; authorized the Director of Public Works, Facilities and Parks (PWFP) or their designee to execute the agreements for Purchase of Real Property to purchase the associated temporary construction easements; and authorized the PWFP or their designee to accept the temporary construction easements and execute the Certificates of Acceptance and Consent to Recordation.

The TCE property were owners paid, the Agreements for Purchase of Real Property executed, and Right of Way Certifications signed and approved by the California Department of Transportation (CalTrans) on June 28, 2024. The project was advertised on July 11, 2024, and bids were received and opened on August 7, 2024. Three bids were received for the project. The lowest responsible, responsive bidder was The Don Chapin Company, Inc. in the amount of \$3,471,000, which is 13% percent over the Engineer’s Estimate of \$3.06 million. The second lowest bidder was Granite Rock in the amount of \$ 3,529,846. Construction is expected to begin in late September 2024. A bid summary is presented in Attachment B and the Contract, Insurance and Bonds are presented in Attachment C.

Las Lomas is located in the Coastal Zone so the project required a discretionary permit. In compliance with the California Environmental Quality Act (CEQA), the Monterey County Planning Commission adopted a Subsequent Mitigated Negative Declaration (MND) and approved a Combined Development Permit (RMA-Planning File No. PLN140903) on January 14, 2015. An extension (PLN140903-EXT1), Resolution No. 18-025 was approved by the Resource Management Agency Chief of Planning on May 16, 2018, and an extension (PLN140903-EXT2), Resolution No. 22-044 was approved by the Department of Housing and Community Development Chief of Planning on July 20, 2022, with no changed circumstances from the previously approved permit. 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 Exclusion Determination on January 2, 2019, and re-validated said Determination on January 19, 2023.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management and the Auditor-Controller's Office have reviewed and approved the proposed contract as to form, insurance and indemnification provisions and fiscal terms, respectively.

FINANCING:

The total estimated cost of the Project, including design engineering, environmental, right-of-way, and construction is \$5,617,574. The County has secured Active Transportation Program (ATP) funding for the Project in the amount of \$2,894,000 for the Project. The Project is funded by a combination of State and Federal ATP Funds in the amount of \$2,894,000, Transportation Development Act (TDA) funds in the amount of \$170,300 and Road Fund in the amount of \$120,464. The remaining \$2,432,810 will be funded through Measure X local funds, as outlined in Attachment D, Project Budget. There are sufficient appropriations adopted in the FY 2025 Road Fund 002, Appropriation Unit PFP004 budget to finance the construction phase of the Project.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Project will construct sidewalks, Class II bike lanes, curb, gutter, driveways, retaining wall and bioswales. The recommended action supports the following Board of Supervisors' Strategic Initiative:

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

Prepared by: Edgard Rizo, Assistant Engineer (831-755-5158)

Reviewed by: J. Erich Rauber, P.E., G.E., Senior Civil Engineer

Enrique Saavedra, PE, Chief of Public Works

Crystal Corpuz, Finance Manager I

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

9/16/2024 | 9:57 AM PDT

Attachments:



Attachment A - Contracts, Insurance, and Bonds

Attachment B - Project Budget

Attachment C - Bid Summary

Attachment D - Location Map