



# Monterey County

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## Board Report

Legistar File Number: 19-0731

October 01, 2019

**Introduced:** 9/13/2019

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

- a. Award a contract to Monterey Peninsula Engineering the lowest responsible bidder, for the Cathedral Oak Road and Pescadero Road Repair Projects, in the total amount of \$221,131;
- b. Approve the Performance and Payment Bonds executed and provided by Monterey Peninsula Engineering;
- c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$22,113 to provide funding for approved contract change orders;
- d. Authorize the Resource Management Agency Director 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; and
- e. Authorize the Resource Management Agency Director to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director or Deputy
- f. Director determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of the Cathedral Oak Road and Pescadero Road Repair Projects by Monterey Peninsula Engineering.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Award a contract to Monterey Peninsula Engineering the lowest responsible bidder, for the Cathedral Oak Road and Pescadero Road Repair Projects, in the total amount of \$221,131;
- b. Approve the Performance and Payment Bonds executed and provided by Monterey Peninsula Engineering;
- c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$22,113 to provide funding for approved contract change orders;
- d. Authorize the Resource Management Agency Director 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; and
- e. Authorize the Resource Management Agency Director to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director or Deputy Director determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of the Cathedral Oak Road and Pescadero Road Repair Projects by Monterey Peninsula Engineering.

### SUMMARY:

In general, the Cathedral Oak Road and Pescadero Road Repair Projects (Project) consists of rehabilitating the pavement surface that was damaged as a result of the 2017 Winter Storms. The rehabilitation work will consist of removing the failed pavement sections, recompacting the base

material and repaving these areas with hot mix asphalt. Staff recommends awarding a construction contract to Monterey Peninsula Engineering, in the amount of \$221,131, to perform this work. Total estimated costs of the two (2) repairs, including environmental, engineering, right of way, and construction is \$353,244. Construction activities are expected to be completed by December 2019.

DISCUSSION:

During the 2017 Winter Storms a number of county roads were affected by the heavy rains and excessive storm water flows. The purpose of this Project is to rehabilitate the pavement surface that was damaged as a result of the 2017 Winter Storms on a 360-foot section of Pescadero Road and another 370-foot section on Cathedral Oak Road. The rehabilitation work will consist of removing the failed pavement sections, recompacting the base material, repaving these areas with hot mix asphalt, and ancillary shoulder grading. These two roadway sections were combined into one bid package, given the similarities of the work to be performed and the relatively small value of repair costs.

These repair sites are on the 2017 Winter Storm Projects list, which was first presented to the Board of Supervisors on April 24, 2018. The Project was later approved by the Board during the Fiscal Year (FY) 2018-19 budget adoption. These two (2) repair sites were prioritized, subject to availability of federal funding because they are high speed, high traffic volume roads that are degrading at a rate that could result in life/safety and traffic concerns if not addressed. The level of work exceeds what can be managed by Public Works maintenance crews.

On August 15, 2019 bids were opened for the Project. A total of six (6) bids were received for the construction of the Project. Monterey Peninsula Engineering, the lowest responsible bidder, for the Project, submitted a bid in the total amount of \$221,131. This bid is about 45.5% below the Engineer's estimate of \$406,019. Staff reviewed the bid and found the bid documentation to be in accordance with our bid requirements.

The construction activities are expected to commence in October 2019 and end in December 2019. To minimize traffic delays during construction, the work will take place during non-peak traffic hours. Resource Management Agency (RMA) staff will be reaching out to the community and media prior to commencement of the construction activities.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel, and Contracts/Purchasing, attended the bid opening and reviewed the low bid for conformance with applicable regulations. The Office of the County Counsel-Risk Management and the Auditor-Controller's Office have reviewed and approved the Contract and Bonds as to form, insurance provisions and fiscal terms, respectively. Caltrans District 5 staff also reviewed the Special Provision for compliance with federal provisions.

FINANCING:

When the 2017 Winter Storms were declared a Natural Disaster by President Trump, Monterey County became eligible to receive financial assistance from the California Office of Emergency Services (Cal OES) and Federal Emergency Management Agency (FEMA) to repair damaged infrastructure due to the winter storms. RMA staff has been working closely with County Office Emergency Services (County EOS) and Cal OES to program funding for eligible Project costs.

Maximum project contributions could be up to 93.75% of the costs incurred, shared by FEMA and Cal OES.

On December 11, 2017 the county received notification that FEMA and Cal OES had awarded \$42,951 to the County as the contribution toward the Pescadero Road repairs. On March 1, 2018 the county received notification that \$69,895 had been awarded to the County, by FEMA and Cal OES, toward the Cathedral Oak Road repairs.

The total estimated costs of the two (2) repairs, including environmental, engineering, right of way, and construction, is \$353,244. Thus, a total of \$112,846 of the project will be funded by FEMA/Cal OES grant funds and \$240,398 by County Measure X funds. FEMA/Cal OES discounted the project costs to account for ineligible costs due to pre-existing pavement distresses in the area effected by the storms. FEMA/Cal OES program guidelines do not allow funding repairs needed to address normal wear of the roadway. The programs' focus is on funding projects that return the effected infrastructure to its pre-storm conditions, and not for any infrastructure betterment.

The current FY 2019-20 Road Fund 002 adopted budget includes \$335,000 in appropriations for these projects, funded with a combination of FEMA funds and local funds. Attachment A provides a detail cost estimate by repair location. Construction costs total \$243,244, including \$221,131 base bid and \$22,113 for contingency.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The project will restore the paved surfaces on sections of Cathedral Oak Road and Pescadero Road. The recommended action supports the following Board of Supervisors' Strategic Initiative:

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

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Approved by: Carl P. Holm, RMA Director 

Attachments:

- Attachment A - Project Budget
- Attachment B - Location Map
- Attachment C - Contract
- Attachment D - Performance Bond
- Attachment E - Payment Bond
- Attachment F - Certificate of Liability Insurance
- (Attachments on File with the Clerk of the Board)