



Monterey County

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Board Report

Legistar File Number: A 18-402

September 25, 2018

Introduced: 9/12/2018

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Award a contract to Telfer Oil Company, the lowest responsible bidder, for the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat FY19, Project No. 5519, in the total amount of \$263,079;
- b. Approve the Performance and Payment Bonds executed and provided by Telfer Oil Company;
- c. Approve \$26,307.90 as a contingency 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, in the aggregate, \$26,307.90. Upon reaching the not-to-exceed amount of \$26,307.90, the Resource Management Agency Director shall return to the Board for further authorization; 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 determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat FY19, Project No. 5519, performed by Telfer Oil Company.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Award a contract to Telfer Oil Company, the lowest responsible bidder, for the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat FY19, Project No. 5519, in the total amount of \$263,079;
- b. Approve the Performance and Payment Bonds executed and provided by Telfer Oil Company;
- c. Approve \$26,307.90 as a contingency 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, in the aggregate, \$26,307.90. Upon reaching the not-to-exceed amount of \$26,307.90, the Resource Management Agency Director shall return to the Board for further authorization; 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 determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat FY19, Project No. 5519, performed by Telfer Oil Company.

SUMMARY/ DISCUSSION:

On July 24, 2018, the Board of Supervisors (Board) approved the Plans and Special Provisions for the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat FY19, Project No. 5519. The Project was subsequently advertised and bids were opened on August 17, 2018. The lowest responsible bidder was Telfer Oil Company in the amount of \$263,079; approximately

\$82,531 over the Engineer's estimate of \$180,548. Telfer Oil Company was the lone bidder. The Annual Seal Coat is scheduled to begin October 1, 2018.

Annually, the Resource Management Agency (RMA) performs seal coat pavement maintenance on County roads. This year's Annual Seal Coat project consists of treating Russel Road (Paul Avenue to 0.2 mile east of Bahia Avenue), Crazy Horse Canyon Road (250 feet east of Audrey Lane to Wild Horse Road), Corral de Tierra Road (Vista Dorado to Paseo de Chaparral), Reservation Road (Blanco Road to Inter Garrison Road), and Metz Road (650 feet north of Airport Road to Elm Avenue); approximately 11.6 total centerline miles.

The contract for the procurement of emulsion is a component of the Seal Coat FY19. The contract consists of delivery and application of asphalt emulsion to various County roads. The Seal Coat FY19 proposes to apply chip seal on the various County roads that is consistent with the Pavement Asset Management Plan and Annual Maintenance Plan.

Once the contract is complete in accordance with the Plans and Special Provisions, the RMA Director will accept the Certification of Completion for the construction project, then execute and record the Notice of Completion with the County Recorder's office.

The project has been determined to be categorically exempt (Class 1) from the California Environmental Quality Act (CEQA) because it is repair to and maintenance of existing streets and similar facilities, which involves no expansion of an existing use. (See CCR § 15301 Existing Facilities)

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 Auditor-Controller's Office have reviewed and approved the Contract and Bonds as to form, fiscal terms, and insurance provisions, respectively.

FINANCING:

The total estimated cost for this component, asphalt emulsion procurement, of the project is \$299,387. The adopted FY 2018-19 budget includes \$1,656,915 in appropriations in the Road Fund 002, Unit 8443, Appropriation Unit RMA012 to finance this project. The Chip Seal project is budgeted to be funded with Senate Bill (SB) 1 Road Repair and Accountability Act Funding.

Although, the effort to repeal SB 1, the Road Repair and Accountability Act of 2017, officially qualified for the November 2018 General Election as Proposition 6 (Prop 6), the County will not have to return revenues collected prior to the potential passage of Prop 6. If successful, Prop 6 would take effect on December 19, 2018 and funds collected from November 1, 2017 to December 18, 2018 would not be impacted.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The project will maintain and extend the useful life of the County's transportation infrastructure. The project supports the following Board of Supervisors Strategic Initiatives:

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

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Approved by: Neville Pereira, Interim Deputy Director of Public Works, Parks & Facilities

Approved by: Carl P. Holm, ACIP, RMA Director

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

Attachment A - Contract for Public Work, Insurance & Bonds

Attachment B - Project Budget

Attachment C - Bid Summary

Attachment D - Location Map