



## Legislation Details (With Board Report)

**File #:** 23-725      **Name:** Reject All Bids- Las Lomas Dr Bicycle and Pedestrian

**Type:** General Agenda Item      **Status:** Passed

**File created:** 9/1/2023      **In control:** Board of Supervisors

**On agenda:** 9/26/2023      **Final action:** 9/26/2023

**Title:** a. Reject all bids presented for Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8867, Bid Package; and  
b. Direct Staff to reevaluate the plans, specifications and cost estimate, implement minor modifications to the contract documents then readvertise for bids at a later date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A - Location Map, 3. Attachment B - Project Budget, 4. Attachment C - Bid Summary Sheet, 5. Completed Board Order Item No. 33

Date	Ver.	Action By	Action	Result
9/26/2023	1	Board of Supervisors		

a. Reject all bids presented for Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8867, Bid Package; and  
b. Direct Staff to reevaluate the plans, specifications and cost estimate, implement minor modifications to the contract documents then readvertise for bids at a later date.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

a. Reject all bids presented for Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8867, Bid Package; and  
b. Direct Staff to reevaluate the plans, specifications and cost estimate, implement minor modifications to the contract documents then readvertise for bids at a later date.

**SUMMARY/DISCUSSION:**

The Las Lomas Drive Bicycle Lane and Pedestrian Project (the Project) is located as shown in Attachment A and consists of road widening, driveway reconstruction, and installation of new curbs, gutters, sidewalks, class II bike lanes, a retaining wall, and storm water treatment facilities on Las Lomas Drive between Hall Road and Thomas Road.

On July 13, 2023, the County opened sealed bids for the project. A bid summary sheet is presented on Attachment C. As shown, only two qualified contractors submitted responsive bids. The apparent low bid, at \$4,574,513.90, exceeds the engineer’s estimate of \$3,039,586 by approximately \$1.5 million or 50 percent.

Given the relatively low number of bidders and relatively high bids, County staff and its consultants reevaluated the design and contract documents and reached out to the bidders and contractors who elected not to bid. These follow up discussions indicated that contractors are very busy-both in terms of work being performed and bids being prepared. Contractors are thus very selective regarding the projects they are bidding and tend to be conservative in preparing bids. In order to ensure that the grant process is followed and funds

are not compromised, staff has been coordinating and consulting with Caltrans (who oversee the grants). Caltrans concurs with the proposed course of action.

Based on this information, the County is proposing to reject all bids, implement minor modifications to the contract documents, and re-advertise the project this winter when construction slows down.

Rejecting bids and re-advertising the project is anticipated to have a relatively minor impact on the project completion date. Re-advertising the project will delay construction until next spring. However, if work began now, given the projected late start date, little progress would have occurred before the onset of the rainy season thus requiring the contractor to shut down for the winter and remobilize (if not start the work) next spring. No date for re-advertising the revised Project has been determined at this time.

Because the Project is in the Coastal Zone it required a discretionary permit. In compliance with the California Environmental Quality Act, the Monterey County Planning Commission adopted a Subsequent Mitigated Negative Declaration, 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 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. Caltrans approved the NEPA Categorical Exclusion Determination on January 2, 2019 and re-validated on January 19, 2023.

#### **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 cost of the Project, including design engineering, environmental, right-of-way, and construction is \$4,700,000. The County has secured Active Transportation Program (ATP) funding for the Project as outlined in Attachment C, Project Budget. The Project is largely 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 \$124,059. The remaining \$1,512,000 will be funded through Measure X local funds. There are sufficient appropriations adopted in the FY 2022-23 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

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

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

Attachment A - Location Map

Attachment B - Project Budget

Attachment C - Bid Summary Sheet