



County of Monterey

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

Board Report

File #: A 12-225, **Version:** 1

- a. Award a contract to Golden State Utility Company, Inc., the lowest responsive bidder, for the 20600 Corral de Cielo, Salinas, California, Mount Toro Grounding Project No. 5108, Bid Package No. 10395, in the total amount of \$35,955.00;
- b. Approve the Performance and Payment Bonds executed and provided by Golden State Utility Company, Inc.;
- c. Authorize a contingency (not to exceed 10 percent of the contract amount) to provide funding for approved contract change orders; and
- d. Authorize the Contracts/Purchasing Officer to execute the agreement and, subject to the terms of the Public Contract Code, approve contract change orders where total change orders do not exceed 10 percent of the original contract amount, and do not significantly alter the scope of work.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Award a contract to Golden State Utility Company, Inc., the lowest responsive bidder, for the 20600 Corral de Cielo, Salinas, California, Mount Toro Grounding Project No. 5108, Bid Package No. 10395, in the total amount of \$35,955.00;
- b. Approve the Performance and Payment Bonds executed and provided by Golden State Utility Company, Inc.;
- c. Authorize a contingency (not to exceed 10 percent of the contract amount) to provide funding for approved contract change orders; and
- d. Authorize the Contracts/Purchasing Officer to execute the agreement and, subject to the terms of the Public Contract Code, approve contract change orders where total change orders do not exceed 10 percent of the original contract amount, and do not significantly alter the scope of work.

SUMMARY/DISCUSSION:

On October 16, 2012, the Board approved the Plans and Specifications for the Mount Toro Grounding Project No. 5108, Bid Package No. 10395, at 20600 Corral De Cielo, Salinas, California. The Project was advertised and bids were opened on November 15, 2012. The Information Technology Department (ITD) reviewed the four bids submitted. Golden State Utility Company, Inc. was the lowest responsive bidder in the amount of \$35,955. Three additional bids were received for this project: one from Newton Construction & Management, Inc. in the amount of \$39,500; one from VFC Lightning, Inc. in the amount of \$39,624.45; and one from Specialty Construction, Inc. in the amount of \$39,887. VFC does not have the A license required by the bid specifications and therefore its bid is deemed non-responsive. Both VFC and Specialty promised to make the good-faith effort to comply with Code Section 5.08.120, but Specialty indicated its intent to use its own employees, but if the need arose, it would advertise in Monterey Bay Area newspapers. Newton certified that at least 50 percent of its workforce would be comprised of Monterey Bay Area residents, and that it would utilize the local electrical union.

Golden State Utility Company, Inc. is unable to comply with the good-faith local hiring provisions set forth in Monterey County Code Section 5.08.120 as they will be using their own permanent employees for the majority of the work. The subcontractor listed for a portion of the electrical work is a local company located in Marina. The contractor has indicated its intent to use local vendors as needed to complete the project and to purchase some of the materials needed for the project locally as well.

Therefore, the Information Technology Department recommends acceptance of Golden State Utility Company, Inc.'s bid as the lowest responsive bidder. Upon approval of the proposed bid award and Agreement by the Board, this Project is scheduled to begin in January 2013, with completion by February 2013.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Contracts/Purchasing attended the bid opening and reviewed the bid for conformance with applicable regulations. The Office of the County Counsel, Auditor-Controller, and Risk Management have reviewed and approved the contract documents as to form and legality, fiscal terms, and insurance provisions, respectively.

FINANCING:

In anticipation of this project, ITD originally set the FY 2011-12 site occupancy rates for Mount Toro occupants to reflect this project cost. Due to the project not being completed within FY 2011-12 where the revenue was collected, the Auditor/Controller's Office approved the deferral of the site revenue in the amount of \$36,800 to an existing restricted account 001-2883. At the start of FY 2012-13, the deferred \$36,800 funds are now in account 001-1930-8140-5750-RADIO to act as funding for the \$35,955 expense which will now occur in FY 2012-13. The variance between the two figures is merely due to timing. When the deferral was done, the anticipated amount was \$36,800. Since then, the bid has been revised to reflect the amount of \$35,955. Should there be a need to use the 10% contingency for Change Orders, funding would come from dollars originally allocated for FY 2012-13 site costs. There is no impact to the General Fund as a result of this action.

Prepared by: Mike Perez, Telecommunications Technician, 759-6908

Approved by: Dianah Neff, Director, 759-6923

Attachment: Agreement
Performance Bond
Payment Bond