



County of Monterey

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

Board Report

File #: 16-1213, **Version:** 1

- a. Award a contract to Viking Construction Company, the lowest responsible and responsive bidder, for Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No.8622, Federal Aid Project No. RSTPLE-5944(111) (“Project”), in the total amount of \$6,509,050.56;
- b. Approve the Performance and Payment Bonds executed and provided by Viking Construction Company and Travelers Casualty and Surety Company of America;
- c. Authorize a contingency, not to exceed ten percent (10 %) of the contract amount, to provide funding for approved contract change orders;
- d. Authorize the ~~Interim~~ Resource Management Agency Deputy Director of Public Works and Facilities to execute the contract and, subject to the provisions of the Public Contract Code, ~~and~~ 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 ~~Interim~~ Resource Management Agency Deputy Director of Public Works and Facilities to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the ~~Interim~~ Deputy Director determines the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No.8622, performed by Viking Construction Company. (REVISED VIA SUPPLEMENTAL)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Award a contract to Viking Construction Company, the lowest responsible and responsive bidder, for Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No.8622, Federal Aid Project No. RSTPE-5944(111), hereinafter “Project”, in the total amount of \$6,509,050.56;
- b. Approve the Performance and Payment Bonds executed and provided by Viking Construction Company and Travelers Casualty and Surety Company of America;
- c. Authorize a contingency, not to exceed ten percent (10 %) of the contract amount, to provide funding for approved contract change orders;
- d. Authorize the Resource Management Agency Deputy Director of Public Works and Facilities to execute the contract and, subject to the provisions of the Public Contract Code, ~~and~~ 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 Deputy Director of Public Works and Facilities to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the ~~Interim~~ Deputy Director determines the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No.8622, performed by Viking Construction Company.

SUMMARY:

Approval of the recommended actions will authorize the Resource Management Agency to award the construction contract of the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No. 8622 (hereafter, “project”) to Viking Construction Company, in the amount of \$6,509,050.56; and proceed with construction activities. Construction is scheduled to begin in November 2016.

DISCUSSION:

The Castroville Bicycle/Pedestrian Path and Railroad Crossing Project consists of a bicycle and pedestrian path with a bridge over the Union Pacific Railroad (UPRR). The project will connect the existing bicycle path on Castroville Boulevard to McDougall Street in Castroville. The new bicycle/pedestrian path will be approximately 0.74 of a mile long. The new bicycle/pedestrian path will have an eight foot paved width for the path and a 12-foot width for the bridge over the UPRR. The bridge will be a concrete box girder bridge that is 1,170 feet long and will be 24 feet above the UPRR track.

The purpose and need for the project is to provide a safe railroad crossing for bicyclists and pedestrians, especially school aged children attending Elkhorn Elementary School and North Monterey County High School, which is intended to keep bicyclists and pedestrians off of the UPRR track and State Route 156 (SR-156). Currently, pedestrians and bicyclists are unlawfully crossing the UPRR track. The project would provide a safe and legal access to, and continuity with, an existing Class I bicycle and pedestrian path that commences at Castroville Boulevard. School aged children can then continue onto North Monterey High School and Elkhorn Elementary School from Castroville.

On July 26th 2016, the Board of Supervisors adopted the Plans and Special Provisions for the Project and authorized the Resource Management Agency (RMA) Deputy Director of Public Works and Facilities to advertise the “Notice to Bidders” to solicit bids for the construction of the project.

A “Notice to Bidders” was duly advertised in a newspaper of general circulation per Public Contracts Code Section 20150.8 on July 28, 2016. On September 1, 2016 sealed bids were received and opened for the project at the Office of the County Clerk of the Board of Supervisors. Viking Construction Company is the apparent low bidder for the project with a base bid amount of \$6,509,050.56, which is 5.6 percent over the Engineer’s Estimate of \$6,164,115.

From other recent project bid openings, RMA has seen a trend in bids being over the Engineer’s Estimate. For this project, additive/deductive alternates were included in the Request for Proposals as a mitigation measure in order to stay within the project budget in case bids came in high. However, with the lowest base bid being 5.6 percent over the Engineer’s Estimate, and with not awarding the alternates, the project still has a shortfall in funding of approximately \$325,000. The department will work closely with the CAO Budget & Analysis Division to evaluate possible funding sources and return to the Board of Supervisors at a later date to recommend options to address the funding shortfall. Possible options include using savings from major maintenance projects, salary & benefits savings from department vacancies, and unassigned Fund 401 balance.

The recommended action supports the Board of Supervisors’ Strategic Initiative for Infrastructure, “Meeting our Facilities, Water, Technology and Transportation Needs.” The project will construct a sustainable, physical infrastructure that improves the quality of life for County residents and support economic development results.

OTHER AGENCY INVOLVEMENT:

The Resource Management Agency worked closely with Caltrans Local Assistance Office during the development of this project. 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, Auditor-Controller, and Risk Management, have reviewed and approved the Contract as to form and legality, fiscal terms, and insurance provisions, respectively.

FINANCING:

The recommended action has no financial impact on the General Fund. The total estimated project cost, including project management, engineering, utility relocation and construction is \$10,021,531, which will be funded by various Federal and State funds (Federal Earmark Grade Crossing, Transportation Enhancement [TE], Active Transportation Program [ATP], State Transportation Improvement Program [STIP], and Transportation Development Act [TDA]). These grant funds were allocated by the California Transportation Commission (CTC) on May 18, 2016. As part of the grant, the County (grantee) is required to award the project within six months of allocation or risk losing the grants if project is not awarded by the sixth month (November 18, 2016).

The project is estimated to have a \$325,000 funding shortfall. There were no funds in the FY 2016-17 Adopted Budget for RMA to cover the cost associated with an increase in the construction bid amount. However, staff has identified some potential funding sources. In order to avoid risk of losing grant if the project is not awarded, and if the Board approves awarding the construction contract, the department will work closely with the CAO Budget & Analysis Division to evaluate those funding sources and return to the Board of Supervisors at a later date to recommend options to address the funding shortfall. Possible options include using savings from major maintenance projects, salary & benefits savings from department vacancies, and unassigned Fund 401 balance.

Prepared by: Douglas Poochigian, P.E., Civil Engineer, (831) 755-4888

Reviewed by: Benny J. Young, Interim Director of Public Works and Facilities

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

Dated: October 18, 2016

Attachments:

Attachment A - Viking Construction Company Contract Agreement

Attachment B - Payment Bonds

Attachment C - Performance Bond

Attachment D - Bid Summary

Attachment E - Project Budget

Attachment F - Location Map

(Attachments on file with the Clerk of the Board)