



Resource Management Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: June 29, 2021

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7000

SUBJECT: Reject Bids Received and Authorize Re-Bid of the Avenue 424 over Traver Canal Bridge Project

REQUEST(S):
That the Board of Supervisors:

1. Reject all bids received on May 26, 2021, for the Avenue 424 over Traver Canal Bridge Project; and
2. Approve the re-advertisement for bids for the Avenue 424 over Traver Canal Bridge Project.

SUMMARY:

The County, in cooperation with Caltrans, is proposing to replace the existing bridge located on Avenue 424 over Traver Canal, approximately 0.25 miles east of Road 64, near the City of Dinuba. The existing structure was constructed in 1925 and qualifies to receive federal funding for bridge replacement due to the bridge's functionally obsolete (narrow bridge width) classification. The existing bridge will be replaced with an approximately 74-foot-long by 36-foot-wide, single span cast-in-place reinforced concrete flat slab bridge. The replacement bridge will accommodate two (2) 12-foot lanes with 4-foot shoulders. Avenue 424 will be repaved approximately 271 feet west and 260 feet east of the bridge limits. Additionally, Avenue 424 will be closed to through traffic during construction; however, a short detour will be available.

Construction Bids

The Avenue 424 over Traver Canal Bridge Project (Project) was authorized to bid by the Board of Supervisors (Resolution No. 2021-0305) on April 27, 2021. Bids were opened

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on May 26, 2021, and three (3) bids were received, summarized as follows:

Contractor	Bid
American Paving Co.	\$1,799,328.35
Viking Construction Company, Inc.	\$2,044,295.95
MCM Construction, Inc.	\$2,104,446.00
Engineer's Estimate	\$1,881,599.55

The apparent lowest bidder at the time of bid opening was American Paving Co., of Fresno, California with a bid of \$1,799,328.35. The apparent low bid was approximately 4.4% below the Engineer's Estimate.

Upon review of the bid proposals (standard protocol after a bid opening), Resource Management Agency staff noted that the apparent lowest bidder, American Paving Co., provided a claimed Disadvantaged Business Enterprise (DBE) participation rate of 4.17%, well below the DBE Contract goal of 31% established by the County (in consultation with Caltrans Local Assistance staff).

The apparent second lowest bidder, Viking Construction Company, Inc., with a bid of \$2,044,295.95 (approximately 8.6% above the Engineer's Estimate), claimed its DBE participation rate was 32%. However, upon examination of this bid, an error in the proposed participation rate was discovered by staff which dropped Viking Construction Company Inc.'s claimed participation rate below the DBE Contract goal of 31%.

Chapter 9 of the Caltrans' Local Assistance Procedures Manual provides direction on setting contract DBE goals and methods for determining if adequate good faith efforts were made by Contractors to meet set DBE goals. Ultimately, the County is responsible for determining acceptability of a contractor's DBE commitments.

In this instance, in lieu of rejecting individual bids based on good faith efforts or claimed DBE participation rates, which will increase the potential risk of litigation and the time necessary to secure a construction contract, staff request that the Board of Supervisors use their discretionary authority to reject all bids and re-bid the Project. The bid documents indicate that the County reserves the right to reject any or all proposals and the County's decision or treatment regarding a bid will be final.

Should the Project be re-bid, it will be re-advertised for construction starting in October of 2021. Construction is anticipated to take approximately six (6) months to complete. By rebidding the project, the project would be delayed by approximately 6 weeks. However, the project would still be constructed in the programmed year.

FISCAL IMPACT/FINANCING:

No Net County cost to the General Fund.

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A summary of estimated costs for the Avenue 424 over Traver Canal Bridge Project is as follows:

Preliminary Engineering:	\$604,000
Right of Way:	\$100,000
Estimated Construction (Including Contingency):	\$2,104,000
Construction Engineering:	\$296,000
Total:	\$3,104,000

If the project is re-bid and the current fund allocation is not adequate to cover the lowest bid amount, County staff will work with Caltrans Local Assistance engineers to secure the additional funds needed to cover all project costs.

County Road Funds will be used to fund the construction and construction engineering phases of the project, which will be fully reimbursed by Federal Highway Bridge Program funds.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

This project will enhance the safety and security of the public by improving the transportation infrastructure for both the general population in the region and the motorists using this facility.

ADMINISTRATIVE SIGN-OFF:

/s/ Reed Schenke

Reed Schenke, P.E.
Director

Cc: County Administrative Office

Attachment A – Vicinity Map