



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**  
**DEPARTMENT OF PUBLIC WORKS**

**DATE:** August 10, 2009  
**BOARD MEETING DATE:** August 25, 2009  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors

**FROM:** James C. Porter, Director of Public Works

**SUBJECT:** 2009 Resurfacing of Various Streets in Unincorporated Areas of San Mateo County (Project No. RT201, File No. F-36 [403]; Federal-Aid Project No. ESPL-5935 [054])

**RECOMMENDATION:**

Adopt a resolution for the 2009 Resurfacing of Various Streets in Unincorporated Areas of San Mateo County (Project No. RT201, File No. F-36 [403]; Federal-Aid Project No. ESPL-5935 [054]):

1. Adopting plans and specifications, dated May 12, 2009, including conformance with prevailing wage scale requirements; and
2. Authorizing the Director of Public Works to file a Notice of Exemption for a California Environmental Quality Act (CEQA) Categorical Exemption; and
3. Awarding and authorizing execution of a contract with Pavex Construction, in the amount of \$1,691,366 for the entire work listed in Schedules A, B, C, and D; and
4. Authorizing the Director of Public Works to issue change orders up to a maximum aggregate amount of \$169,136, or approximately 10% of the contract amount.

**BACKGROUND:**

The Board has authorized the Director of Public Works to apply for ARRA funds, to prepare plans and specifications for the 2009 Resurfacing of Various Streets in Unincorporated Areas of San Mateo County (Project), and advertise for bids for said Project, which would be paid for with the ARRA funds. (Resolution No. 069928, February 10, 2009, and Resolution No. 069987, March 17, 2009).

**DISCUSSION:**

Department staff has determined that this project qualifies for a Categorical Exemption pursuant to Section 15301(c) of the CEQA Guidelines for Implementation, which provides that repair and maintenance of existing streets and highways is exempt from review. We request your authorization to file a Notice of Exemption for a CEQA Categorical Exemption for this project.

The bids were received on August 4, 2009, have been checked by the Department, and the bid from **Pavex Construction, 120 Granite Rock Way, San Jose, CA 95136** at **\$1,691,366** was the lowest bid received for the work. The Engineer's estimate was \$2,305,000. Exhibit "A" contains a summary of the bids and the location of the projects.

The federal funding that will support this project provides that contractors use good faith efforts to subcontract with underutilized disadvantaged business enterprises (UDBE). The bidder can meet this requirement by meeting the goal, which, in this case, was 12.95%. However, even if it doesn't meet the goal, the bidder can meet the requirement by documenting adequate good faith efforts even if they were not fully successful. While the low bidder did not meet the 12.95% UDBE goal, it has submitted information to show that it took all necessary and reasonable steps to achieve the goal.

Staff has determined that the Equal Employment program submitted by Pavex Construction, is in accordance with the current Equal Employment Guidelines, and that the Contractor complies with the applicable provisions of the County ordinance code. County Counsel has reviewed and approved of the Resolution as to form.

Awarding this project contributes to the Shared Vision 2025 outcome of a Healthy Community by providing the public with safe and drivable roadways.

**FISCAL IMPACT:**

Awarding of the contract is based on the aggregate of schedules not exceeding the total ARRA funding amount of \$1,726,000. The total estimated cost for construction is \$1,860,502, which includes a ten percent (10%) contingency (approximately \$169,136) as the work is bid on a unit price basis (i.e., per ton of asphalt concrete, etc.). The contingency is used to pay the contractor for any additional material for the various bid items as the actual quantity used depends on the unit weight and actual limits of the construction project, or to pay for added work resulting from unforeseen conditions not anticipated in the contract documents. Road funds and reimbursements from other affected agencies will be used to supplement the remaining construction cost for this project. Exhibit "A" also indicates the proposed financing for the Project. There is no impact to the General Fund.

Reimbursement for the cost of adjusting existing utility facilities that encroach within the road right-of-way will be covered by agreements executed by the Director as authorized by your Board in Resolution No. 64550, dated June 19, 2001.

Exhibit "A": Summary of Bids Received, Project Funding, and locations of paving projects

