



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Department of Public Works



DATE: August 16, 2011
BOARD MEETING DATE: September 13, 2011
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors
FROM: James C. Porter, Director of Public Works
SUBJECT: County of San Mateo Bicycle and Pedestrian Enhancements Project
(County Project No. RT411, Federal Aid Project No. RPSTPLE-5935
(057), Project File No. E4863000)

RECOMMENDATION:

Adopt a Resolution authorizing the:

1. President of the Board of Supervisors to execute an agreement with Chrisp Company in the amount of \$278,083.60, for the County of San Mateo Bicycle and Pedestrian Enhancements Project; and
2. Director of Public Works to execute subsequent change orders up to a maximum aggregate amount, not to exceed \$27,716.40, or approximately 10% of the agreement amount; and
3. Director of Public Works to file a Notice of Exemption for a California Environmental Quality Act Categorical Exemption.

BACKGROUND:

On February 23, 2010, your Board adopted Resolution No. 070651, which authorized the Director of Public Works or his designee to submit an application for State Transportation Improvement Program Transportation Enhancement (STIP TE) Program Funding to finance a revised project scope to include the County of San Mateo Bicycle and Pedestrian Enhancements Project.

On July 12, 2011, your Board adopted Resolution No. 071534, which adopted plans and specifications, including conformance with prevailing wage scale requirements and calling for sealed bids for the above-mentioned project.

DISCUSSION:

STIP TE funded projects require that a project specific Underutilized Disadvantaged Business Enterprise (UDBE) participation goal be established based on the type of work to

be performed. The Department established an UDBE goal of 13.5% for this project. The bidding contractors were required to meet the UDBE participation goal or demonstrate adequate good faith efforts to meet the goal through their work or their subcontractors' work. Contractors were also required to complete forms and submit supporting documentation with their bid to demonstrate their UDBE commitment.

On Thursday, August 4, 2011, bids were accepted for this project and subsequently referred to this office for checking and recommendation. The bid of:

Chrisp Company
43650 Osgood Road
Fremont, CA 94539

at \$278,083.60 was the only responsible bid received for the work and which met the UDBE good faith efforts requirements for the project. The Engineer's estimate was \$200,000.

The California Transportation Commission (CTC) approved the STIP TE funds for this project at their May 12, 2011 meeting with the stipulation that a contract must be executed for the project within six months of the CTC's approval. Due to the timing associated with the funding, the Department recommends moving forward with the project even though only one bid was received and the bid was higher than the Engineer's estimate and the funding amount. The project leverages the use of grant money to remove, replace, and install bicycle and pedestrian signage throughout the County that will meet new standards that will be effective in 2015. Additionally, portions of the work included in this project are being completed as part of another grant funded project and will be removed or reduced from this project resulting in a reduction in the anticipated amount to be paid to the contractor.

Staff reviewed the bid documents and has determined that the Equal Employment program submitted by Chrisp Company is in accordance with the current Equal Employment Guidelines and that the Contractor complies with the equal benefits and jury duty pay provisions of the County ordinance code and the UDBE participation goal established for this project.

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

County Counsel has reviewed and approved the Resolution and Agreement as to form.

Approval of this action contributes to the Shared Vision 2025 outcome of a Livable Community by enhancing the accessibility and connectivity of the transportation system for bicyclists and pedestrians in our communities.

FISCAL IMPACT:

The total estimated cost for construction is \$305,800, which includes authorization for up to \$27,716.40 in change orders as the work is bid on a unit price basis. The contingency is used to pay the contractor for any unforeseen conditions not anticipated in the construction agreement documents.

The project is proposed to be financed as follows:

STIP TE Program	\$200,000
Road Funds	<u>\$105,800</u>
Total Cost	\$305,800

There is no impact to the General Fund.

RESOLUTION NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING THE:

- 1. PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AN AGREEMENT WITH CHRISP COMPANY IN THE AMOUNT OF \$278,083.60, FOR THE COUNTY OF SAN MATEO BICYCLE AND PEDESTRIAN ENHANCEMENTS PROJECT; AND**
 - 2. DIRECTOR OF PUBLIC WORKS TO EXECUTE SUBSEQUENT CHANGE ORDERS UP TO A MAXIMUM AGGREGATE AMOUNT, NOT TO EXCEED \$27,716.40, OR APPROXIMATELY 10% OF THE AGREEMENT AMOUNT; AND**
 - 3. DIRECTOR OF PUBLIC WORKS TO FILE A NOTICE OF EXEMPTION FOR A CALIFORNIA ENVIRONMENTAL QUALITY ACT CATEGORICAL EXEMPTION**
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RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, this Board of Supervisors did, on February 23, 2010 adopt Resolution No. 070651, which authorized the Director of Public Works to submit an application for State Transportation Improvement Program Transportation Enhancement (STIP TE) Program Funding for the County of San Mateo Bicycle and Pedestrian Enhancements Project; and

WHEREAS, the County of San Mateo applied for and has been approved to receive \$200,000 in STIP TE funds; and

WHEREAS, this Board of Supervisors did, on July 12, 2011, adopt Resolution No. 071534, which adopted the plans and specifications (the "Plans and Specifications"), including conformance with prevailing wage scale requirements and

calling for sealed proposals for the County of San Mateo Bicycle and Pedestrian Enhancements Project; and

WHEREAS, the Clerk of this Board of Supervisors did, in public on August 4, 2011, open and examine all sealed bids that were received in the specified time for the doing of the work referred to in said Resolution No. 071534; and

WHEREAS, this Board of Supervisors has caused an analysis of said bids to be made by the Director of Public Works of the County of San Mateo, and has, in open session, fully reviewed and considered said sealed proposals and the analysis thereof; and

WHEREAS, the lowest and only responsible bid was submitted by Chrisp Company, in the amount of Two Hundred Seventy-Eight Thousand Eighty-Three and 60/100 Dollars (\$278,083.60) based on an estimate of the amount of work to be done; and

WHEREAS, Department of Public Works staff has determined that this project qualifies for a Categorical Exemption pursuant to Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines for Implementation, which provides that that maintenance of existing pedestrian and bicycle facilities is exempt from review.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. It is to the best interest of the County of San Mateo to award the agreement for

the County of San Mateo Bicycle and Pedestrian Enhancements Project to:

Chrisp Company
43650 Osgood Road
Fremont, CA 94539

2. The County of San Mateo shall enter into a written agreement with Chrisp Company, for the completion of said work as required by the Plans and Specifications adopted by this Board of Supervisors, as hereinbefore mentioned, which Plans and Specifications are on file in the office of the Director of Public Works of the County of San Mateo.
3. The President of this Board of Supervisors shall be, and is hereby, authorized and directed to execute an agreement with Chrisp Company for the doing of said work described therein, subject to the Department of Public Works' receipt and approval of the Faithful Performance Surety Bond ("Performance Bond") and the Labor and Material Surety Bond ("Payment Bond") required to be posted by said Contractor with the County of San Mateo in connection therewith.
4. The Director of Public Works is hereby authorized to execute change orders related to said work not exceeding \$27,716.40 in aggregate.
5. All payments to the Contractor shall be in accordance with the Plans and Specifications, and other agreement documents. Aggregate payment to the Contractor shall not exceed Three Hundred Five Thousand Eight Hundred and

No/100 Dollars (\$305,800) without this Board's approval.

6. The Director of Public Works is hereby directed to file a Notice of Exemption for a CEQA Categorical Exemption for this project.
7. The Clerk of the Board of Supervisors, County of San Mateo, is hereby authorized and directed to attest the signature of the President of this Board of Supervisors to said written agreement.

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