



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: July 14, 2020 – REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chair is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010				

SUBJECT: Award Contract for Construction of the M348 over South Fork Kaweah River Bridge Project

REQUEST(S):

That the Board of Supervisors:

1. Approve and award the contract to the lowest responsive and responsible bidder, Agee Construction Corporation of Clovis, California, in the amount of \$3,630,982 for construction of the M348 over South Fork Kaweah River Bridge Project, southeast of the community of Three Rivers effective upon approval by the Board of Supervisors; and
2. Authorize the Chair of the Board of Supervisors to sign the contract after review and approval as to form by County Counsel and upon receipt of certificates of insurance, bonds and evidence that the contractor possesses a valid State Contractor's License; and
3. Allow funds for contingencies in the amount of \$194,049 to cover unexpected construction conditions; and
4. Authorize the Director of the Resource Management Agency or his designee to approve change orders up to the amount of \$194,049.

SUMMARY:

The County, in cooperation with Caltrans, proposes to replace the existing functionally obsolete (narrow) and fracture critical bridge on Mountain Road 348 (M348) over the South Fork Kaweah River (Project). The Project is located approximately 10 miles southeast of the community of Three Rivers. The existing structure (constructed in

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1952) will be replaced with a wider one-lane, clear-span, steel girder bridge with precast or cast-in-place concrete deck panels. Also, located approximately 0.42 miles from Sequoia National Park, this bridge primarily serves recreational and forestry vehicles traveling to South Fork Campground at the terminus of South Fork Drive.

The existing bridge will be replaced with an approximately 94-foot long by 18.5-foot wide, one-lane bridge. Due to the lack of an available detour and to accommodate traffic during construction, the new bridge will be located about 30 feet north of the existing bridge alignment. M348 will be realigned approximately 200 feet west and 180 feet east of the bridge limits to account for the slight shift in bridge alignment. The new structure, designed to meet current engineering standards, will accommodate one 15-foot lane.

Construction is anticipated to begin in October of 2020 and should take approximately nine months to complete all work.

The Project was approved for advertisement by the Board of Supervisors (Resolution No. 2020-0240) on May 12, 2020. Bids were opened on June 11, 2020 and a total of four (4) bids were received. The following summarizes the bids received:

Contractor	Bid
Agee Construction Corporation	\$ 3,630,982.00
Syblon Reid Construction, Inc.	\$ 3,664,503.00
Granite Construction	\$ 3,816,452.70
Papich Construction	\$ 3,987,483.00
Engineer's Estimate	\$ 2,294,000.00

The apparent lowest bidder at the time of bid opening was Syblon Reid Construction, Inc. with a bid of \$3,572,703. However, upon careful examination of all bid proposals (standard protocol after a bid opening), Resource Management Agency (RMA) staff discovered that the apparent lowest bidder, Syblon Reid Construction, Inc., made a multiplication error on Bid Item No. 18 (Structure Backfill (Bridge)), multiplying its unit price of \$600 by an incorrect quantity. According to the language in the bid documents, unit price prevails over the total amount; therefore, re-calculating Syblon Reid Construction, Inc.'s bid based on its \$600 per cubic yard figure, would increase the total amount to \$3,664,503; making Agee Construction Corporation the apparent lowest bidder.

It is staff's understanding that several contractors who normally prepare a bid for this type of project, did not submit a bid due to the remote location of the Project and recent shortage of labor due to similar bridge construction projects (in nearby local agency districts) that either advertised recently or will be in construction starting fall 2020.

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The lowest bid of \$3,630,982 was submitted by Agee Construction Corporation of Clovis, CA. This bid is approximately \$1,337,000 (58% percent) higher than the Engineer's Estimate. Staff is currently working with Caltrans to adjust the programmed amount to reflect the higher than expected low bid, and it is anticipated that all cost increases will be fully reimbursed by the Highway Bridge Program (HBP).

Upon conducting a bid analysis, large variances in the unit price were noted for several bid items including clearing and grubbing, cast-in-drilled-hole concrete piling (rock socket), structural concrete bridge (polymer fiber), bar reinforcing steel (bridge/retaining wall), erect prefabricated steel girder bridge, bridge removal, midwest guardrail system, barrier rail concrete and mobilization. These variances in the estimates can be attributed to the aforementioned remote location, high number of working days, shortage of labor, staging/project work area limitations and limited access along a fairly long and windy County dirt road. Caltrans programming managers have continued to witness a rise in construction costs throughout the state; thus, they are aware that local assistance projects either out to bid or nearly ready for advertisement, would likely require additional programmed construction funds.

Even though the bid received by Agee Construction Corporation is higher than the Engineer's Estimate, RMA staff believes it would be in the County's best interest to proceed with the award of the contract. It should be noted that this project was originally advertised in late 2019 and the County only received one (1) bid for \$4,204,248 (100% higher than the Engineer's Estimate). As a result of the higher than expected bid, staff worked with the design engineer to eliminate excessive project costs including reducing/eliminating non-standard retaining walls, and eliminating/reducing aesthetic elements on the bridge and retaining walls. It is unlikely that project costs can be reduced anymore and re-advertisement will incur additional staff costs, further reducing the cost effectiveness of the Project. Furthermore, rebidding the Project does not guarantee that additional bids will be received nor does it guarantee that additional bids will come in closer to the Engineer's Estimate.

Due to lack of available HBP construction funds, combined with the need to start this project as soon as possible to limit the duration of construction work during the bird nesting season, the County will be using the Advance Construction (AC) funding mechanism. AC is one of the programming tools established by the HBP to allow local agencies to expedite project construction in advance of federal funding appropriations. Although AC funding guidelines require that Tulare County may need to front all construction costs prior to federal funding appropriation, staff anticipates receiving reimbursement of funds (up to the programmed amount of \$2,750,000) by the time project construction starts in fall 2020.

However, since the low bid amount exceeds the current funding allocation, it is anticipated that the difference in cost (approximately \$1,650,000 including contingencies and construction engineering costs) will be accrued by the County until the HBP allocates the additional funding required (this may not occur until spring/summer of 2021). Once funds are made available, the County may begin

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seeking federal reimbursement (up to the programmed amount). It should be noted that AC procedures have been successfully used on previous bridge projects (M319 South Fork Kaweah River, Road 182 Deep Creek and Bear Creek Road over Rancheria Creek).

It is RMA staff's recommendation that the Board award the contract to Agee Construction Corporation, the apparent lowest responsive and responsible bidder. Agee Construction Corporation has satisfactorily performed similar projects for Tulare County, where they demonstrated that they (1) have adequate financial resources to perform the contract, (2) are able to comply with the associated legal or regulatory requirements, (3) are able to deliver according to the contract schedule, (4) have a history of satisfactory performance, (5) have a good reputation regarding integrity, (6) have or can obtain necessary data, equipment, and facilities, and (7) are otherwise eligible and qualified to receive award.

FISCAL IMPACT/FINANCING:

No net County cost to the General Fund.

A summary of the total estimated federal construction cost for the M348 over South Fork Kaweah River Bridge Project is as follows:

No.	Description	Cost
1	Construction	\$3,630,982
2	Contingencies	\$194,049
3	Construction Engineering	\$573,754
	Total	\$4,398,785

The current HBP funding allocation (total estimated construction costs including construction, contingencies and construction engineering) for this project is \$2,750,000. Since this allocation is not adequate to cover the total construction costs, County staff will work with Caltrans Local Assistance engineers to secure the additional funds needed. Caltrans staff has informed RMA that they are committed to allocating the additional funds required for this project.

County Road Funds will be used to fund the construction and construction engineering phase of the project, which are anticipated to be fully reimbursed by Federal Highway Bridge Program (HBP) funds. If additional HBP funds are not secured, which is very unlikely, County Road Funds will cover the funding shortage (approximately \$1,650,000).

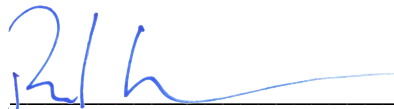
LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

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.

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ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.

Director

cc: County Administrative Office

Attachment(s) Attachment A – Vicinity Map

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AWARD CONTRACT) Resolution No. _____
FOR CONSTRUCTION OF THE M348 OVER) Agreement No. _____
SOUTH FORK KAWEAH RIVER BRIDGE)
PROJECT)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JULY 14, 2020, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

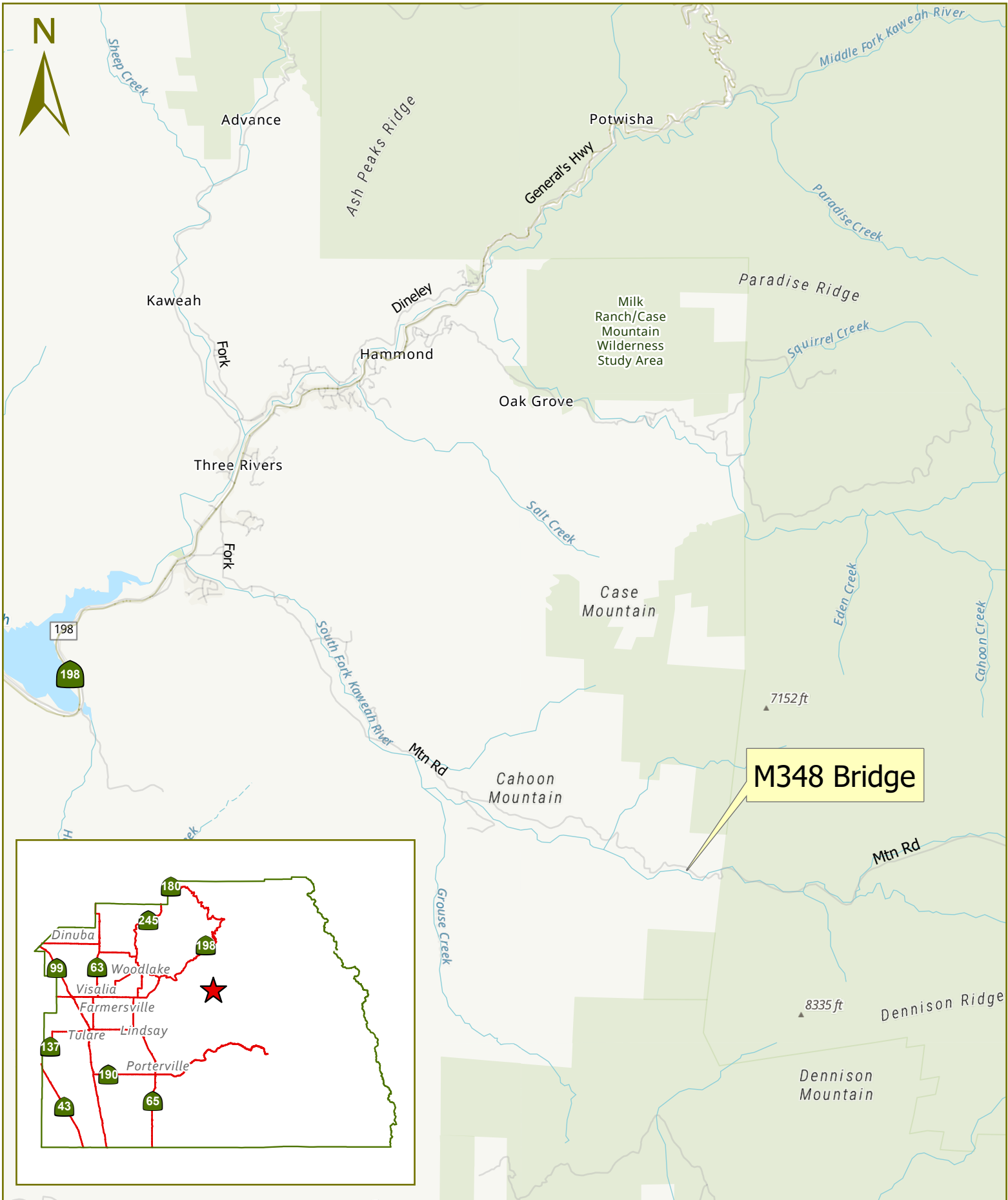
BY: _____
Deputy Clerk

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Attachment A

Vicinity Map



M348 Bridge

