



**RESOURCE  
MANAGEMENT AGENCY  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One  
PETE VANDER POEL  
District Two  
PHILLIP A. COX  
District Three  
J. STEVEN WORTHLEY  
District Four  
MIKE ENNIS  
District Five

**AGENDA DATE:** September 17, 2013

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 Chairman 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 of Contract for Construction of Apron & Hangar Taxilane project at Sequoia Field Airport

- REQUEST(S):**  
That the Board of Supervisors:
1. Approve and award the contract to the lowest responsive and responsible bidder Granite Construction Company of Fresno, California, in the amount of \$959,957, for construction of the Apron and Hangar Taxilane project at Sequoia Field Airport;
  2. Authorize the Chairman 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 \$95,996 (10%) of the contract amount to cover unexpected construction conditions.

**SUMMARY:**  
Staff received bids for the construction of a new aircraft parking apron and taxi lanes at the Sequoia Airfield, which will provide for new paving on the apron and taxi lane areas of the airport. This project is included in the Airport Capital Improvement Program.

The Federal Aviation Administration (FAA) requires funding recipients to advertise the project and determine the lowest, responsible, and responsive bidder and the bid amount prior to obligating the funds. Once the lowest bid has been determined, and transmitted to FAA for approval, the agency will obligate the funds based on the

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lowest bid results.

The Special Provisions and Contract Documents and Project Plans for this project were approved at the July 16, 2013 Board meeting (Resolution No. 2013-0515). Authorization to advertise the project and receive bids was also given at that time. Nine bids were received for this project on August 13, 2013 and the bids are as follows:

<u>BIDDER</u>	<u>BID</u>
Granite Construction Co.	\$ 959,957.00
Teichert and Son Inc.	990,300.50
Papich Construction Company, Inc.	995,826.20
Avison Construction, Inc.	1,012,984.00
AJ Excavation, Inc.	1,027,837.00
Emmett's Excavation, Inc.	1,132,140.65
R.J. Berry Jr., Inc.	1,166,219.50
American Paving Co.	1,192,941.00
Lee's Paving, Inc.	1,294,375.75
Engineer's Estimate	\$ 964,545.00

The low bid received is approximately 0.5% below the Engineer's Estimate. Staff has reviewed the bid documents for the low bid received and has found that the bid was substantially complete. The lowest responsive and responsible bidder was Granite Construction Company of Fresno, California with a bid of \$959,957.00. Granite Construction Company met the DBE goal of 10% on this project, and has committed to a DBE participation of 10.29%

Page P-6 of the proposal, which was required to be submitted with the bid, indicated that the bidders were to insert the percentage of women participation, minority participation, and other DBE participation in the blank spaces provided on page P-6, as assurance of compliance with Title 49, Part 26 of the Code of Federal Regulations (CFR), relating to disadvantaged business enterprise (DBE) participation. The low bidder, Granite Construction Company, did not provide the DBE participation percentages where indicated, but did sign the form. Through addendum no. 2, issued on August 7, 2013, the bid documents allow the low bidder, second low bidder and third low bidder to submit "Good Faith Effort" documentation to obtain DBE participation by 4:00 p.m. on the fourth business day after bid opening, or August 19, 2013. The low bidder, Granite Construction Company, submitted their "Good Faith Effort" documentation on August 15, 2013. Based on the "Good Faith Effort" documentation, Granite Construction Company is committed to a DBE participation of 10.29%, which meets the DBE participation goal of 10% established for this project. County staff believes that omitting the DBE participation percentages on page P-6 of the proposal is a minor irregularity in the bid which may be waived since the DBE participation information was provided in the "Good Faith Effort" documentation.

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The "Good Faith Effort" documentation was reviewed by County staff for compliance with Title 49, Part 26, Appendix A, "Guidance Concerning Good Faith Efforts." This section requires that a bidder, in order to be responsible and/or responsive, make good faith efforts to meet the contract DBE goal. The bidder can meet this requirement by 1) meeting the goal or by 2) documenting a good faith to do so. For this project, Granite Construction Company met this requirement by meeting the goal, and in addition, their "Good Faith Effort" documentation met the guidelines provided for in Title 49, Part 26, Appendix A for adequate good faith efforts. In other words, the responsiveness of the bid does not depend solely on the percentages to be provided on page P-6 of the proposal, which were omitted by the low bidder. Should the contractor not be able to meet the goal, the determination for responsiveness of the bid depends on the adequacy of the "Good Faith Effort" documentation. In the case for this project, if you review Granite Construction Company's DBE participation based on their "Good Faith Effort" submittal alone, it is adequate.

It should be noted that the second low bidder, Teichert and Son, Inc., requested a copy of Granite Construction Company's bid and pointed out the Granite Construction Company did not completely fill out the bid proposal, specifically page P-6 (Assurance of DBE Participation). On August 21, 2013 Teichert and Son, Inc. inquired via e-mail as to how the County will address the omission of the DBE percentage in Granite Construction Company's bid proposal. A letter was issued on August 29, 2013 to Granite Construction Company informing them of the County's intent to award the contract to Granite Construction Company as the low bidder. A copy of the letter was also sent to all of the bidders on the plan holders list, including Teichert and Son, Inc.

This project is receiving funding from the FAA. The funding totals \$1,090,083, and covers staff time, consultant costs, relocation expenses, construction costs, contingencies in the amount of 10% of the cost of construction, and beacon installation costs. The beacon was installed in the spring, but will be reimbursed as a part of this agreement with the FAA. The FAA has reviewed the bid results and concurs with awarding of the contract to Granite Construction Company as the lowest responsive and responsible bidder. The FAA funding will provide 90% (\$1,090,083) of the construction related costs. The local match of the remaining 10% will be made up of 5% (\$60,560) County funds and the anticipated 5% (\$60,560) Caltrans Aeronautics Division grant funding. The Caltrans Aeronautics Division requires the FAA grant be approved and funds awarded prior to obligating State funds. Staff will be requesting approval of the grant application under a separate Board action. As of September 4, 2013 FAA has approved and awarded the funds, and the County will now apply for the Caltrans Aeronautics Division Grant. In order to assure the entire local match is available staff has programmed the total 10% local match in County funds and will adjust the budget as necessary if the Caltrans funding is approved.

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Construction is scheduled to begin in October 2013 and scheduled to be complete by December 2013. It is very important to award the project as soon as possible to that construction may start in October, as placement of the asphalt required for this project could be negatively impacted by rainy weather which may delay the project.

**FISCAL IMPACT/FINANCING:**

The total estimated cost for the project is \$1,211,203. This includes costs for construction, staff administration of the contract, project management, miscellaneous costs and cost to install the airport beacon previously completed in 2013 and allowed to be billed to FAA through this project. The Federal Aviation Administration Airport Improvements Program fund will provide 90% (\$1,090,083) of the construction related costs for this project. The local match of the remaining 10% will be made up of 5.5% (\$66,616) County funds and the anticipated 4.5% (\$54,504) Caltrans Aeronautics Division grant funding. The State program pays 5% of the FAA approved amount. Staff will be requesting approval of the California Aeronautics Division Grant Program grant application under a separate Board action. However, due to the state budget problems this funding may not be available in which case the County share of the project would increase by \$54,504.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

Strategic Initiative: Safety and security includes the goal of improving and maintaining adequate air transportation infrastructure. This project will provide additional improvements to Sequoia Field Airport and maximize its operational capacity for future commercial and private air traffic.

**ADMINISTRATIVE SIGN-OFF:**

**Britt L. Fussel** Digitally signed by Britt L. Fussel  
DN: cn=Britt L. Fussel, o=RMA,  
email=bfussel@co.tulare.ca.us,  
c=US  
Date: 2013.09.11 06:27:08 -07'00' 9/11/13

Britt L. Fussel, P.E. Date  
Assistant Director—Public Works  
County Surveyor

BLF:mb:br

Cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment(s): Attachment A - Vicinity Map

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

IN THE MATTER OF AWARD OF )  
CONTRACT FOR CONSTRUCTION OF ) Resolution No. \_\_\_\_\_  
APRON & HANGAR TAXILANE PROJECT ) Agreement No. \_\_\_\_\_  
AT SEQUOIA FIELD AIRPORT )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE BOARD  
OF SUPERVISORS, AT AN OFFICIAL MEETING HELD SEPTEMBER 17, 2013, BY  
THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JEAN M. ROUSSEAU  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

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3. Allowed funds for contingencies in the amount of \$95,996 (10%) of the contract amount to cover unexpected construction conditions.

Attachment A

