

736



**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Economic Development Agency

SUBMITTAL DATE:
July 14, 2009

SUBJECT: Grace Mellman Temecula Library Interior Remodel

RECOMMENDED MOTION: That the Board of Supervisors:

1. Waive minor irregularities in bid by Rasmussen Brothers Construction, Inc.;
2. Award contract to Rasmussen Brothers Construction, Inc. (RBC) of Fallbrook, California, in the amount of \$356,582 and authorize the Chairman of the Board to execute the agreement on behalf of the County;
3. Authorize the Assistant County Executive Officer/EDA to administer the agreement in accordance with applicable Board policies;
4. Confirm the approval of the total project budget of \$746,900; and
5. Delegate project management authority for this project to the Assistant County Executive Officer/EDA in accordance with applicable Board policies.

BACKGROUND: Commences on Page 2

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost: FY 09/10	\$ 746,900	In Current Year Budget:	Yes
	Current F.Y. Net County Cost: FY 09/10	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	09/10

SOURCE OF FUNDS: Library Funds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY Jennifer L. Sargent

FORM APPROVED COUNTY COUNSEL
BY: *M. S. Victor* 7/14/09
MARSHAL L. VICTOR DATE

Consent Policy
 Consent Policy

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 3.32, 12/18/07; 3.8, 4/07/09;
3.45, 6/2/09

District: 3

Agenda Number:

3.49

BACKGROUND:

On June 2, 2009, the Board of Supervisors approved the plans and specifications for the Grace Mellman Temecula Library Interior Remodel and authorized the Clerk of the Board to advertise for bids.

On June 23, 2009, twenty-six contractors attended a mandatory job walk. On July 9, 2009, the bids were opened and Rasmussen Brothers Construction, Inc. (RBC) was determined to be the lowest responsive and responsible bidder. The agreement has been reviewed and approved by County Counsel as to legal form.

On July 9, 2009, the County of Riverside received a bid protest from W. L. Butler Construction, Inc. the second lowest bidder. The reason stated for the bid protest was failure by the lowest bidder to include suppliers of materials required on their subcontractor's list. This protest is without merit as RBC is required to list only those subcontractors that will be performing work onsite, not their suppliers. Because RBC will be self performing this portion of the work under their B General Contractors License and only required to purchase the specified materials, there is no need to list a subcontractor.

On July 10, 2009, the County of Riverside received a bid protest from Hammel Contracting, Inc. the third lowest bidder. The reason stated for the bid protest was listing a subcontractor that is not licensed by the Contractors State License Board. RBC had inadvertently listed the supplier's name on the subcontractors list and did not need to as RBC can self perform this work under their B General Contractors License upon certification. This is a minor irregularity that can be waived as it provided no economic advantage to RBC. Other reasons stated on the protest were not listing a handrail subcontractor, not listing a door hardware subcontractor, not listing an acoustical ceiling and wall panel subcontractor. Because RBC will be self performing this portion of the work under their B General Contractors License, there is no need to list a subcontractor. Hammel Contracting also protested that the product required for the project requires an electrical subcontractor with a C-7 Low Voltage license and the electrical subcontractor RBC listed possess a C-10 High Voltage license. Per the California State Licensing Board, a contractor possessing a C-10 license can perform Low-voltage electrical work under their license.

Based on the information provided, the Economic Development Agency (EDA) recommends the award of the construction contract to the lowest bidder, Rasmussen Brothers, Inc.

PROJECT BUDGET:

Confirmation of the approximate allocation of the project budget is as follows:

Design	\$ 73,000
Construction	\$356,582
Project Management/Miscellaneous Fees	\$ 99,318
Furniture	\$150,000
Contingency	<u>\$ 68,000</u>
TOTAL	\$746,900

All costs associated with this agreement will be funded through the Library Funds. Thus, no additional Net County Cost will be incurred as a result of this agreement.