

FORM APPROVED COUNTY COUNSEL
DATE 10/13/09
BY: MARSHAL VICTOR

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

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SUBMITTAL DATE:
October 1, 2009

FROM: Economic Development Agency

SUBJECT: Mesa Verde Community and Childcare Center Project

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept and award the construction contract to the low responsive bidder Erickson-Hall Construction Co., in the amount of \$1,683,000.00;
2. Approve the project budget of \$2,197,800.00;
3. Authorize the Chairman to sign the contract documents on behalf of the Board; and
4. Authorize the Assistant County Executive Officer/EDA, or designee to administer contract and provide change order authority for this contract in accordance with Board Policy B-11.

BACKGROUND: On June 30, 2009, the Board approved the plans and specifications, and authorized the Clerk of the Board to advertise the Notice of Inviting Bids for the Mesa Verde Community and Childcare Center Project.

(Continued next page)

Robert Field
Assistant County Executive Officer/EDA

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|----------------|-------------------------------|--------------|-------------------------|-----------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ 2,197,800 | In Current Year Budget: | Yes |
| | Current F.Y. Net County Cost: | \$ 0 | Budget Adjustment: | No |
| | Annual Net County Cost: | \$ 0 | For Fiscal Year: | 2009/2010 |

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

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|---|----------------------------------|--------------------------|
| SOURCE OF FUNDS: Riverside County Palm Desert Finance Authority Bond Proceeds | 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
Jennifer L. Sargent

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

Reviewed by
CIP/EAM
Christopher Hans

Prev. Agn. Ref.: 07/01/08, Item 3.27; 06/30/09, Item 3.21 District: 4th Agenda Number: 3.28

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

BACKGROUND (continued):

On August 5th, 2009 twelve (12) bids were received; the lowest bid was submitted by Erickson-Hall Construction. During County Counsel's review of the bids, a protest was received challenging the bid submitted by the lowest bidder. The following are the three issues that were raised by the protest:

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| 1) Low bidder listed only the company name and the city and protester believes there is no way to verify the subcontractors. | Sufficient information was provided by low bidder to identify subcontractors and verify licences. |
| 2) Low bidder listed two subcontractors for the site utility portion of the work. | The two subcontractors listed under site utilities will perform separate portions of needed utilities. One will construct water and storm system and the other will construct sewer and septic systems. |
| 3) No subcontractors were listed by low bidder for survey or insulation. | The insulation portion may be self-performed. Subcontractor for survey not necessary to list as is minor portion of work not in excess of ½ of 1%, small site with one building therefore survey work will be minimum. |

Based on the protest submitted and review of the documentation, County Counsel and the department have determined that Erickson-Hall Construction is the lowest responsive bidder and their bid constitutes a proper basis for award of the contract for this project. Therefore, EDA Staff recommends that the Board find the low bid as responsive and award the contract to Erickson-Hall Construction Co. in the amount of \$1,683,000 and approve the project budget as follows:

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|------------------------------|--------------------|
| Project Budget: | |
| Construction | \$1,683,000 |
| Permits/Inspections/Misc. | \$ 55,000 |
| Utility/Undergrounding | \$ 200,000 |
| Furniture/Fixtures/Equipment | \$ 60,000 |
| Subtotal | <u>\$1,998,000</u> |
| Contingency 10% | <u>\$ 199,800</u> |
| Project Total | \$2,197,800 |

The project will be funded entirely by Palm Desert Finance Authority Bond Proceeds and will not impact the County's General Fund.

Attachments:

- Bid Summary
- Agreement Forms
- Performance Bonds
- Payment Bonds
- Certificate of Liability Insurance
- Certificate of Workers' Compensation Insurance

RF:CC:AC 9598

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