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Agenda Date: 12/18/2018

Agenda Placement: 60

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Steven Lederer - Director of Public Works
Public Works

REPORT BY: Sonja El-Wakil, Associate Engineer - (707) 259-8383

SUBJECT: Award of Contract and Budget Transfer for the "Juvenile Hall Generator Project", PW 18-01

RECOMMENDATION

Director of Public Works requests the Board take the following actions for the "Juvenile Hall Generator Project," PW 18-01:

1. Determine the engineer's cost estimate for construction is reasonable; and
2. Award a construction contract to James Day Construction Inc. doing business as Coastal Mountain Electric, of Clearlake, CA for their low base bid of \$186,646 and authorize the Chair to sign the construction contract; and
3. Approval of Budget Transfer No. DPW015 for the following:
 - a. Increase appropriations by \$90,000 in Accumulated Capital Outlay (ACO) Budget;
 - b. Increase revenue and appropriations by \$90,000 in the Juvenile Justice Center Generator Project (Program 18013) offset by the transfer from Accumulated Capital Outlay (ACO) Budget.

(4/5 vote required)

EXECUTIVE SUMMARY

On October 18, 2018, the Department of Public Works advertised the Juvenile Hall Generator Project PW18-01. On November 15, 2018, bids were received and opened. The bid from Fort Bragg Electric was determined to be non-responsive prompting a rejection of their bid. Due to the low bid being an amount greater than allowed for the Director of Public Works to approve, staff is requesting the Board of Supervisors award a construction contract to the lowest responsive bidder, James Day Construction Inc. dba Coastal Mountain Electric of Clearlake, CA for their base bid of \$186,646. Coastal Mountain Electric is not a local vendor.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Funds will be transferred from the Accumulated Capital Outlay (ACO) fund to the Juvenile Justice Center Generator Project (Program 18013) budget.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The existing emergency generator currently connected to Building K on the former Health and Human Services (HHS) campus located on Old Sonoma Road will be used in emergency back up support for the Juvenile Justice Center. The former HHS campus is planned to be sold out of the County's inventory.
Is the general fund affected?	Yes
Future fiscal impact:	The project is scheduled to be completed during this current fiscal year.
Consequences if not approved:	The generator will not be used or connected to a County facility.
Additional Information:	

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Categorical Exemption Class 1: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 1 ("Existing Facilities") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.

BACKGROUND AND DISCUSSION

Napa County plans to sell the vacant property on Old Sonoma Road, adjacent to the Juvenile Justice Center (JJC) at 212 Walnut Street that previously housed the Health and Human Services (HHS) campus. Because the two properties are adjacent, it is possible to repurpose the existing emergency generator that served the now vacant HHS Building K to serve as a backup emergency generator for the JJC ensuring its continuous essential services during an electrical outage.

On December 19, 2017, the Board of Supervisors approved budget transfer DPW029 for \$175,000 to fund the project repurposing the Building K emergency generator. Accordingly, staff worked with an electrical consultant to prepare plans and specifications. Based on the low initial cost estimate for construction, the Director of Public Works approved the plans and specifications and provided authorization for advertisement of the project. On October 28, 2018, the Department of Public Works advertised the Juvenile Hall Generator Project, PW 18-01.

Bids were opened for the project on November 15, 2018 with the following result:

Contractor	Total Base Bid
Fort Bragg Electric, Inc., Fort Bragg, CA	\$184,774
James Day Construction, Inc. dba Coastal Mountain Electric, Clearlake CA	\$186,646
Western Machinery Electric, Inc., Benicia CA	\$203,367

The project was advertised using informal bidding procedures based on the cost estimate for construction. While the bids received are higher than estimated and greater than can be awarded by the Director of Public Works, the lowest responsive bid today may still be awarded by the Board of Supervisors as allowed by the following, in accordance with Public Contract Code Section 22034(d):

- | All bids received are higher than \$175,000,
- | The proposed bid for award is less than \$187,500, and
- | The engineer's cost estimate is determined reasonable (the engineer's cost estimate of \$100,000 for construction is attached to this item).

The apparent low bidder Fort Bragg Electric Inc. was not found to be responsive, based on their bid proposal form. The itemized bid lines were blank, and only the grand total was filled in. Accordingly, their bid was determined non responsive. The Public Works Department Director issued the Notice of Intent to Award the Project to James Day Construction, Inc., as well as the Notice of Rejection of Bid to Fort Bragg Electric Inc. on November 19, 2018, per Public Contract Code Section 22038. The permitted five business day protest period was completed with no protests on November 28, 2018. The second bidder James Day Construction Inc. dba Coastal Mountain Electric with their complete proposal is recommended to be awarded the contract for construction for their base bid of \$186,646.

Based on the bid award amount, the total cost of the Project including construction, construction contingency, design and engineering, construction management, and project management is \$265,000 (see attached project budget). Since the time the original engineer's estimate was prepared, the cost of construction projects in Napa County (and elsewhere) has shown a continuing rise, likely based on a strong economy and exacerbated by the 2017 Fires. A budget transfer of \$90,000 from the Accumulated Capital Outlay to the project budget is required at this time to fund the construction phase of the project.

James Day Construction Inc. dba Coastal Mountain Electric is not a local vendor. Staff reached out to the local construction contractor community by advertising the request for bids in the Napa Valley Register, the Solano-Napa Builder's Exchange and by posting on the County website. Staff also sent "Notices to Contractors" to the local construction community. Once the construction contract is awarded the County will contact the Napa County Workforce Investment Board (WIB) and will require the successful contractor to contact the WIB to let the WIB know of its hiring needs.

SUPPORTING DOCUMENTS

- A . Engineer's Estimate
- B . Project Budget

CEO Recommendation: Approve

Reviewed By: Helene Franchi