



**CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL**

<b>Short Name/Subject</b> 2017 Winter Storms - Murphys Drive	<b>Board Meeting Date</b> August 13, 2019	<b>Agenda Number</b> <b>13</b>
<b>Dept:</b> Public Works <b>Contact:</b> Joshua Pack <b>Phone:</b> 209/754-6402	<b>Supervisory District Number</b> District 3	Consent Agenda
<b>Published Notice Required?</b> No <b>Public Hearing Required?</b> No		<b>Estimated Time:</b> 0 Minutes
<b>Type of Document?</b> Non Resolution Agreement <b>PowerPoint Presentation Included?</b> No <b>Budget Transfer Included (Must be signed by Auditor)?</b> No <b>Complete Agreement Required?</b> No <b>Position Allocation Change?</b> No		

**RECOMMENDATION:**

1) Award RFP 19-0920-40-913 for the construction of the Murphys Drive Disaster Recovery Project; 2) Authorize the Board Chair to execute an Agreement with K.W. Emerson, Inc. for construction of the Murphys Drive Repair Replacement Project in an amount not to exceed \$297,815 for the period of August 1, 2019, through December 31, 2019; and 3) Authorize the Auditor-Controller to process a budget/General Fund Reserve transfer in the amount of \$448,000 to fully fund this project until such time as State and Federal reimbursement may be received, requiring a 4/5 affirmative vote of the Board of Supervisors.

**DISCUSSION/SUMMARY:**

During the 2017 winter storms, Calaveras County experienced historic rain and flooding resulting in widespread damage throughout the County that included the culvert crossing of Moran Creek on Murphys Drive in Arnold. The roadway was washed out and has remained closed since that time. The proposed Project is needed to restore access along Murphys Drive for the community and will restore the facility to its pre-disaster function and capacity.

On June 25, 2019, the Board of Supervisors adopted the plans and specification for construction of the Project and authorized the Department of Public Works to solicit formal bids for construction. The Invitation to Bid was posted on PublicPurchase.com, advertised in The Valley Springs News and in The Lodi News. Sixty-six (66) distinct firms viewed the invitation on-line and five (5) questions were asked by potential bidders.

In response to the solicitation for bids, only one (1) bid was received. The Department of Public Works followed FEMA guidelines for procurement by noncompetitive proposals. All parties who accessed and viewed the solicitation on PublicPurchase.com were queried as to the reasons they did not bid on the Project. Sixty-six (66) firms were contacted and as of this date fifteen (15) have responded. Responses were varied including:

- Construction firms do not have the resources to complete the Project due to current commitments.
- Some firms were looking for subcontracting work only.
- Some firms were looking for specific work (striping, etc.) that was not included.

None of the responses suggested that the Invitation to Bid was too restrictive, constrained, or challenging. The modal response was that construction firms are too busy to bid on and complete the Project.

The successful bidder, K.W. Emerson, was deemed responsive to the solicitation for bids and responsible. The bid received was for \$270,741. The Department of Public Works recommends that K.W. Emerson be awarded the Agreement not to exceed \$297,815, which includes a 10% contingency of \$27,074.

The contract provides thirty (30) working days for completion of the work, after which damages are assessed. At this time, the work is anticipated to be completed in Fall 2019. The contract end date of December 31, 2019, has been provided for the purpose of Project close out by the County and FEMA; this date does not control the completion of the construction work.

**FINANCING:**

A budget adjustment is necessary to fund the full scope of this Project which includes the work to be performed under this contract, Project design services provided by Dokken Engineering and approved by the Board of Supervisors on February 12, 2019, and Department of Public Works staff costs associated with Project management and field inspections. The FEMA Project Worksheet (PW) authorizes work in the amount of \$149,552. The County will request that FEMA update the PW authorizing additional funds for the Project, which would reimburse the County General Fund. As funds in the amount of \$448,000 weren't originally budgeted, a budget transfer from the General Fund Reserve (10110000) in the amount of \$448,000 is required to be made to the 2017 Winter Storm budget (10100920) until such time as reimbursement for the Project may be received. In accordance with Government Code Section 29086, funds may be released from the General Fund Reserve in the event of a legally declared emergency as provided in Government Code Section 29127. This Project is part of the 2017 Winter Storm Emergency Declaration made by the Board of Supervisors in IQM2 item 2597 on January 24, 2017.

Funding for this Project is budgeted in the 2017 Winter Storm budget unit (10100920). The funding for this Project is reimbursable as follows:

FEMA	75.00%
CalOES	18.75%
County General Fund	6.25%

**ALTERNATIVES:**

The Board may choose to do any of the following:

1. Support the department's recommendation;
2. Continue the item to another date for further consideration. This option is not recommended unless the Board specifically requests additional information which cannot be obtained during this meeting; or
3. Deny the request. This is not recommended as Project completion would be put at risk as well as any federal funds that have been authorized.

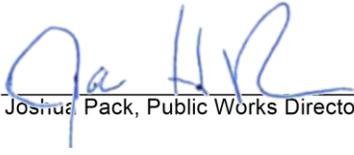
**OTHER AGENCY INVOLVEMENT:**

Auditor-Controller

**APPROVED BY:**

2017 Winter Storms - Murphys Drive  
August 13, 2019

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Joshua Pack, Public Works Director

7/26/2019



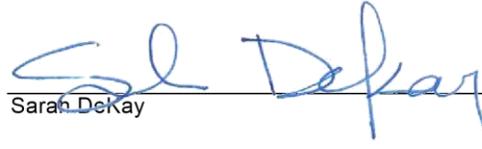
Diane Severud, Deputy Clerk of the Board of Supervisors

7/26/2019



Albert Hill, County Administrative Officer

7/26/2019



Sarah DeKay

7/31/2019



Kathy Gomes

8/2/2019