



# Napa County

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## Legislation Text

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**File #:** 21-1277, **Version:** 1

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**TO:** Board of Supervisors  
**FROM:** Steve Lederer, Director of Public Works  
**REPORT BY:** John Vicencio, Associate Engineer  
**SUBJECT:** Glass Fire Guardrail Repair Project, RDS 20-48, Award of Contract and Budget Transfer

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### **RECOMMENDATION**

Director of Public Works requests the following regarding the Glass Fire Guardrail Repair Project, RDS 20-48:

1. Award of the contract to Midstate Barrier Inc. of Stockton, California for their low base bid of \$690,440 and for the Chair to sign the construction contract; and
2. Approval of a Budget Transfer for the following (4/5 vote required):
  - a. Increase appropriations by \$919,505 in the Accumulated Capital Outlay Fund (ACO) (Fund 3000, Org 3000000) with the use of its available fund balance to be transferred to 2020 Glass-FEMA Guardrail Project (Fund 2040, Org 2040500, Project 21055); and
  - b. Increase appropriations by \$919,505 in Project 21055, RDS 20-48 offset by transfer from the ACO budget.

### **EXECUTIVE SUMMARY**

During the 2020 Glass Fire event, significant guardrail damage occurred along multiple County maintained roads. Several of these guardrails are eligible for Federal Emergency Management Administration (FEMA) funding for the repairs. These roads include Spring Mountain Road, Larkmead Lane, Lodi Lane, and Old Lawley Toll Road.

On August 24, 2021, the Board of Supervisors (BOS) approved the plans and specifications and authorized the advertisement for the "Glass Fire Guardrail Repair Project", RDS 20-48 pending FEMA approval to proceed with construction. Bids were opened on December 2, 2021 with lowest bid of \$690,440 from Midstate Barrier, Inc., of Stockton, CA. Midstate Barrier, Inc. is not a local vendor. Staff requests the BOS award the construction contract and approve the proposed budget transfer from the ACO to the project program fund.

## **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
Where is it budgeted?	The existing budget for Project 21055 is \$75,000 and was previously funded by the General Fund 2020 Glass Fire budget (Fund 1000, Org 1058006) for the design phase. Additional funds of \$919,505 are requested at this time from the ACO budget Fund 3000 Org 3000000 to fund construction phase. These funds will be utilized in advance of receiving obligated FEMA/CalOES reimbursement. Once the County receives reimbursement, those funds will be returned to the General Fund and ACO.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The requested approval will allow for the construction phase of the project.
Is the general fund affected?	Yes
Future fiscal impact:	Construction will commence during the current Fiscal Year 2021-22. The project will require full funding from the Accumulated Capital Outlay (ACO) Fund until the FEMA and CalOES reimbursement and audit period is over (3 years) at which point the reimbursed money will be returned to the ACO.
Consequences if not approved:	The fire-induced roadside safety hazards would not be mitigated.
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit
Additional Information	None

## **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is exempt from CEQA, as Per Title 14, California Code of Regulations, Chapter 3, Article 18, Section 15269, Emergency Projects (State CEQA Guidelines) and therefore CEQA is not applicable. This project will comply with all National Environmental Policy Act (NEPA) requirements outlined in the FEMA/CalOES Project Worksheet.

## **BACKGROUND AND DISCUSSION**

During the 2020 Glass Fire event, significant guardrail damage occurred along multiple County maintained roads. Several of these guardrails are eligible for Federal Emergency Management Administration (FEMA) reimbursement for the repairs. These roads include Spring Mountain Road, Larkmead Lane, Lodi Lane, and Old Lawley Toll Road.

On August 24, 2021, the Board of Supervisors approved creation of a new capital improvement project, a budget transfer of \$75,000 to cover design and engineering, plans and specifications for the "Glass Fire Guardrail Repair Project", RDS 20-48, and authorized Public Works to advertise for sealed bids and for

opening of the bids at a time, date, and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code and pending FEMA approval to proceed with Construction.

On October 15, 2021, Staff received a Notice of Obligation and Payment letter from CalOES that obligated a combined federal and state amount of \$626,326.54 to fund this project.

On December 2, 2021, bids were opened and the bid results are attached. Staff recommends award of the construction contract to Midstate Barrier, Inc. (MBI) of Stockton, CA for their low base bid of \$690,440. A budget transfer of \$919,505 from the Accumulated Capital Outlay is also requested to fully fund this project. MBI is not a local vendor. The Public Contract Code requires that the construction contract be awarded to the lowest responsible bidder regardless of whether the low bidder is local or not. Staff outreach to the local construction contractor community included 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.