



# Napa County

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## Legislation Text

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**File #:** 23-0664, **Version:** 1

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**TO:** Board of Supervisors  
**FROM:** Steven Lederer - Director of Public Works  
**REPORT BY:** Dewey Phan, Assistant Engineer  
**SUBJECT:** Dry Creek Road MPM 11.6 - Award of Construction Contract

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### **RECOMMENDATION**

Director of Public Works requests the following actions:

1. Award of a contract to Rege Construction of Cloverdale, California for their low base bid of \$906,618 and authorize the Chair to sign the construction contract for the Dry Creek Road MPM 11.6, RDS 23-20 project.
2. Approval of a Budget Transfer for the following (4/5 vote required):
  - a. Increase appropriation by \$458,404 in the Accumulated Capital Outlay Fund (ACO) (Fund 3000, Org 3000000, Object 56100) with the use of its available fund balance to be transferred to Project 23033 (Dry Creek Road MPM 11.6, Fund 2040, Org 2040500, Object 48200); and
  - b. Increase appropriation by \$458,404 in Project 23033, (Dry Creek Road MPM 11.6, Fund 2040, Org 2040500, Object 52360) budget offset by a transfer-in revenue from the ACO.

### **EXECUTIVE SUMMARY**

In January 2023, a series of storms caused significant damage at several locations, including Dry Creek Road mile post marker (MPM) 11.6 which sustained about 100 feet of roadway and fill slope failure.

The proposed repair to the slide is an approximately 124-foot-long concrete grade beam wall supported by 24" concrete CIDH (cast-in-place-drilled-hole) piles. Work is expected to commence in the summer of 2023 and be completed prior to the winter of 2023.

The engineer's estimate for construction was \$700,000 and the responsive and responsible low bidder is Rege

Construction for their base bid of \$906,618. It is recommended that the Board award the contract to Rege Construction for their low bid of \$906,618, approve the budget transfer, and authorize the Chair to sign the construction contract.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Fund 2040, Org 2040500, Project 23033. The full cost of the project is estimated as \$1,458,404. The funding for 23033 (RDS 23-20) is from ACO fund.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The proposed project will stabilize the roadway and reconstruct the roadway pavement section. The requested approvals will allow for construction of the repair.
Is the general fund affected?	No
Future fiscal impact:	Design began in Fiscal Year 2023 and construction will begin in Fiscal Year 2022/23. Construction will likely finish in Fiscal Year 2023/24. Staff will attempt to obtain FEMA reimbursement to offset some of the costs of the project.
Consequences if not approved:	Future rain events would likely cause additional landslides at this site.
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: 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**

During the storm event that started in January of 2023, significant damage occurred at Dry Creek Road MPM 11.6, which is located in unincorporated Napa County near Wall Road. Dry Creek Road MPM 11.6 sustained road and fill failure consisting of downslope failure on the northern side of the roadway, where a portion of the road slid down the hillside threatening the remaining portions of the road. The slide is approximately 100 feet

long by 12 feet wide.

The proposed repair to the slide is approximately 124-foot-long concrete grade beam wall supported by 24" concrete CIDH (cast-in-place-drilled-hole) piles. The grade beam wall depth is between 8' to 14'. The piles depth is approximately 30'. There are approximately 60 linear feet of roadway payment rehabilitation (grinding and re-surfacing existing pavement) and 85 linear feet of roadway payment re-construction (removing old asphalt/aggregate base and replacing with new asphalt/aggregate base).

On January 24, 2023, the Board adopted a Resolution ratifying a Proclamation of Local Emergency and appropriated \$1,000,000 funding for the design and repair of Project 23033 (Dry Creek Road MPM 11.6, RDS 23-20). This project may qualify for Federal Emergency Management Agency (FEMA) funding and the County will request for reimbursement. If approved, the match for this project is up to 75% FEMA, 18.75% California Office of Emergency Services (Cal OES) and 6.25% local.

The project was advertised for bid on April 3, 2023, and the Clerk of the Board opened 5 bids on May 4, 2023.

Northwest Demolition Inc.	San Francisco, CA	\$665,000.10
Rege Construction	Cloverdale, CA	\$906,618.00
E.E. Gilbert Construction	Martinez, CA	\$936,862.08
Piazza Construction	Penngrove, CA	\$937,222.00
Bridgeway Civil Constructors	Vacaville, CA	\$986,003.00

The first bidder, Northwest Demolition Inc., did not use the correct bid proposal forms and consequently did not bid on all items, and is therefore not a responsive bidder. Staff has rejected this first bidder as a non-responsive bidder. The engineer's estimate was \$700,000 and the successful low bidder is Rege Construction for their responsive base bid of \$906,618. Construction is anticipated to commence in June 2023 and to be completed by October of 2023, weather and site conditions permitting. A 15% contingency is requested for any unforeseen items of work.

The total project budget with the addition of engineering design, construction management, project management, special inspection and contingency is \$1,458,404 and will be funded with ACO fund (see attached project budget). In addition to a previous appropriation of \$1,000,000, a budget transfer of \$458,404 is needed to move this project forward.

Rege Construction is not a local vendor however, the Public Contract Code requires that the construction contract be awarded to the lowest responsible and responsive bidder regardless of whether the low bidder is local or not. Staff reached out to the local construction contractor community by advertising the request for bids in the Napa Valley Register and the Solano-Napa Builder's Exchange, and by posting on the County website. Staff also sent "Notices to Contractors" to the local construction community.

Director of Public Works requests approval of the requested budget transfer and award of the contract for the "Dry Creek Road MPM 11.6, RDS 23-20" to Rege Construction of Cloverdale, California, for their low base bid of \$906,618.00, and authorization for the Chair to sign the construction contract.