

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**RESOLUTION: A) ADOPTING PLANS AND SPECIFICATIONS, INCLUDING CONFORMANCE WITH FEDERAL PREVAILING WAGE SCALE REQUIREMENTS, FOR THE 2023 SLIP-OUT REPAIR NEAR 2180 HIGGINS CANYON ROAD PROJECT; AND B) AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE AN AGREEMENT WITH MINERVA CONSTRUCTION, INC., IN THE AMOUNT OF \$1,873,475 FOR THE 2023 SLIP-OUT REPAIR NEAR 2180 HIGGINS CANYON ROAD PROJECT; AND C) AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO: 1) EXECUTE SUBSEQUENT CHANGE ORDERS TO GRANT TIME EXTENSIONS FOR PROJECT COMPLETION AND PAYMENT UP TO A MAXIMUM AGGREGATE AMOUNT NOT TO EXCEED \$187,348, OR APPROXIMATELY 10 PERCENT OF THE AGREEMENT AMOUNT; AND 2) EXECUTE PAYMENT UP TO THE NOT TO EXCEED AMOUNT OF \$2,060,823 FOR ITEMS REQUIRING ADJUSTMENT BASED ON UNIT BID PRICES WITHOUT EXECUTION OF A CHANGE ORDER. AND 3) FILE A NOTICE OF EXEMPTION FOR A CALIFORNIA ENVIRONMENTAL QUALITY ACT CATEGORICAL EXEMPTION**

---

**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, this Board adopted Resolution No. 079773 on June 13, 2023, which “streamlined” the bid process for specific winter storm damage projects to be constructed during the 2023-2024 construction seasons and approved the 2022-2023 winter storm damage project list; and

**WHEREAS**, the 2023 Slip-Out Repair Near 2180 Higgins Canyon Road Project (Project) is a project on the 2022-2023 winter storm damage project list; and

**WHEREAS**, during the 2022-2023 winter storms, the slope embankments near 2180 Higgins Canyon Road in the Half Moon Bay area failed due to heavy storm events and caused a full closure to the road; and

**WHEREAS**, the Department of Public Works retained an on-call geotechnical design consultant to prepare geotechnical investigation, reports, analyses, and final construction documents for the Project; and

**WHEREAS**, the Project plans and specifications, dated July 28, 2023 have been prepared and approved by the Director of Public Works for the Project, and said plans and specifications have been filed in the office of the Director of Public Works (the “plans and specifications”); and

**WHEREAS**, the Department of Public Works did issue a call for sealed proposals to be received at the office of the County Manager / Clerk of the Board of Supervisors, Hall of Justice and Records, 400 County Center, Redwood City, California, until the hour of 2:00 p.m., on Thursday, August 24, 2023; and

**WHEREAS**, the Department of Public Works did cause the notice inviting sealed proposals to be published three (3) times in the Examiner Peninsula Newspaper Group, a newspaper printed and published in this County, and obtained an affidavit of said publication; and

**WHEREAS**, the Deputy Clerk of this Board of Supervisors did, in public on August 24, 2023 at 2:00 p.m., open and examine all sealed bids that were received in

the specified time for the doing of the work referred to in said Plans and Specifications;  
and

**WHEREAS**, this Board of Supervisors has caused an analysis of said bids to be made by the Director of Public Works of the County of San Mateo, and has, in open session, fully reviewed and considered said sealed proposals and analysis thereof; and

**WHEREAS**, the lowest responsible bid received was submitted by Minerva Construction, Inc. in the amount of \$1,873,475 based on an estimate of the amount of work to be done; and

**WHEREAS**, Department staff has determined that this Project qualifies for a Categorical Exemption pursuant to Section 15269 of the California Environmental Quality Act (CEQA) Guidelines for emergency repair of existing highway damaged by landslide.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** as follows:

1. The Plans and Specifications dated July 28, 2023, for the aforesaid Project are hereby approved and are adopted as the Plans and Specifications to be adhered to in letting and performing the work under a contract for said improvements.
2. It is to the best interest of the County of San Mateo to award the agreement for the 2023 Slip-Out Repair Near 2180 Higgins Canyon Road Project to:

Minerva Construction, Inc.

1485 Bayshore Blvd, Suite 210

San Francisco, CA 94124

3. The County of San Mateo shall enter into a written agreement with Minerva Construction, Inc., for the completion of said work as required by the Plans and Specifications adopted by this Board of Supervisors, as hereinbefore mentioned, which Plans and Specifications are on file in the office of the Director of Public Works of the County of San Mateo.
4. The President of this Board of Supervisors shall be, and is hereby, authorized and directed to execute an agreement with Minerva Construction, Inc., for the doing of said work described therein, subject to the Department of Public Works' receipt and approval of the Faithful Performance Surety Bond ("Performance Bond") and the Labor and Material Surety Bond ("Payment Bond") required to be posted by said Contractor with the County of San Mateo in connection therewith, and the Clerk of the Board shall attest the President's signature thereto.
5. The Director of Public Works is hereby authorized to execute change orders related to said work for time extensions and payment not exceeding \$187,348 of bid in aggregate.
6. The Director of Public Works is hereby authorized to approve payments up to the not to exceed amount of \$2,060,823 for items requiring adjustment based on unit bid prices without execution of a change order.
7. All payments to the Contractor shall be in accordance with the Plans and Specifications, and other agreement documents. Aggregate payment to the

Contractor shall not exceed \$2,060,823 without this Board's approval.

8. The Director of Public Works is hereby authorized to file a Notice of Exemption for a California Environmental Quality Act Categorical Exemption.
9. The Clerk of the Board of Supervisors, County of San Mateo, is hereby authorized and directed to attest the signature of the President of this Board of Supervisors to said written agreement.

\* \* \* \* \*