

RESOLUTION NO. .

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

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RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD TO EXECUTE AN AGREEMENT WITH BAY AREA LIGHTWORKS, INC., FOR THE BROADMOOR SAFE ROUTES TO SCHOOL PEDESTRIAN IMPROVEMENTS PROJECT, IN THE AMOUNT OF \$1,504,846; AND B) 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 \$150,484, OR APPROXIMATELY 10 PERCENT OF THE AGREEMENT AMOUNT; AND 2. APPROVE PAYMENT UP TO THE NOT-TO-EXCEED AMOUNT OF \$1,655,330 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 of Supervisors did, on May 18, 2021, adopt Resolution No. 078189, which authorized the Director of Public Works, or designee, to file an application for funding assigned to the Metropolitan Transportation Commission (MTC), committing any necessary matching funds, and stating assurance to complete the Broadmoor Safe Routes to School Pedestrian Improvements Project (Project); and

WHEREAS, this Board of Supervisors did, on August 2, 2022, adopt Resolution No. 079096, which adopted the plans and specifications (the “Plans and Specifications”), including conformance with prevailing wage scale requirements and called for sealed proposals for the Project; and

WHEREAS, the California Department of Transportation (Caltrans) will administer the federal funds for this Project; and

WHEREAS, the Department of Public Works did not receive the required authorization in time from Caltrans to allow for construction in 2022 and the Department determined that construction for the Project should occur in Summer 2023; and

WHEREAS, this Board of Supervisors did, on February 28, 2023, adopt Resolution 079475, which authorized the Director of Public Works to call for sealed proposals for the Project; and

WHEREAS, the Deputy Clerk of this Board of Supervisors did, in public on March 28, 2023, at 1:00 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 Bay Area Lightworks, Inc. in the amount of \$1,504,846 based on an estimate of the amount of work to be done; and

WHEREAS, Department of Public Works staff has determined that this Project qualifies for a Categorical Exemption pursuant to Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines for Implementation, which provides that repair and maintenance of existing streets and highways and related facilities are exempt from review.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as

follows:

1. It is to the best interest of the County of San Mateo to award the agreement for the Broadmoor Safe Routes to School Pedestrian Improvements Project to:

Bay Area Lightworks, Inc.
1460 Yosemite Avenue
San Francisco, CA 94124

2. The County of San Mateo shall enter into a written agreement with Bay Area Lightworks, Inc., for the completion of said work as required by the Plans and Specifications adopted by this Board of Supervisors, as herein before mentioned, which Plans and Specifications are on file in the office of the Director of Public Works of the County of San Mateo.
3. The President of this Board of Supervisors shall be, and is hereby, authorized and directed to execute an agreement with Bay Area Lightworks, 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 of Supervisors shall attest the President's signature thereto.
4. The Director of Public Works is hereby authorized to execute change orders related to said work for time extensions and payment not exceeding \$150,484 in aggregate.
5. The Director of Public Works is hereby authorized to approve payments up to

the not to exceed amount of \$1,655,330 for items requiring adjustment based on unit bid prices without execution of a change order.

6. 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 \$1,655,330 without this Board of Supervisors' approval.
7. The Director of Public Works is hereby authorized to file a Notice of Exemption for a California Environmental Quality Act Categorical Exemption.
8. 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.

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