

RESOLUTION NO. 071390

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

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RESOLUTION:

1. ADOPTING THE PLANS AND SPECIFICATIONS, INCLUDING CONFORMANCE WITH PREVAILING WAGE SCALE REQUIREMENTS, FOR THE RESURFACING OF VARIOUS STREETS IN THE LADERA, NORTH FAIR OAKS, DISTRICT 4 AND PALOMAR PARK AREAS OF UNINCORPORATED SAN MATEO COUNTY; AND
2. AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AN AGREEMENT WITH O'GRADY PAVING, INC., IN THE AMOUNT OF \$1,342,899.10, FOR THE ENTIRE WORK LISTED IN SCHEDULES A, B, C AND D; AND
3. AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE SUBSEQUENT CHANGE ORDERS UP TO A MAXIMUM AGGREGATE AMOUNT, NOT TO EXCEED \$134,290.90, OR APPROXIMATELY 10% OF THE AGREEMENT AMOUNT; AND
4. AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO 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 August 10, 2010, adopt Resolution No. 070993, which authorized the Director of Public Works to submit an application to the Metropolitan Transportation Commission (MTC) for federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) Program funds to resurface various streets in the Ladera, North Fair Oaks, District 4 and Palomar Park areas; and

WHEREAS, this Board of Supervisors did, on February 8, 2011, adopt

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Resolution No. 071257, which authorized the Director of Public Works to develop plans and specifications and to call for bids for this project and non-controversial, maintenance and rehabilitation projects including the Resurfacing of Various Streets in the Ladera, North Fair Oaks, District 4 and Palomar Park Areas Project; and

WHEREAS, plans and specifications, dated January 28, 2011, were prepared and approved by the Director of Public Works for the Resurfacing of Various Streets in the Ladera, North Fair Oaks, District 4 and Palomar Park Areas Project; and

WHEREAS, a schedule of prevailing wage scales for each craft or type of workman needed to execute these plans and specifications in the locality in which said work is to be performed has been established by the Department of Industrial Relations and has been referred to in said 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 2:30 p.m., Tuesday, March 29, 2011; 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 Clerk of this Board of Supervisors did, in public on March 29,

2011 at 2:30 p.m., open and examine all sealed proposals 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 the analysis thereof; and

WHEREAS, the lowest responsible, responsive bid was submitted by O'Grady Paving, Inc., in the amount of One Million Three Hundred Forty-Two Thousand Eight Hundred Ninety-Nine and 10/100 Dollars (\$1,342,899.10) based on an estimate of the amount of work to be done for Schedules A+B+C+D; and

WHEREAS, although one lower bid was submitted, it was deemed non-responsive due to failure to meet the Underutilized Disadvantaged Business Enterprise (UDBE) participation goal and inadequate good faith efforts supporting documentation, and therefore, the Department of Public Works has determined this bid is ineligible for consideration 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 is exempt from review.

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

1. The plans and specifications dated January 28, 2011 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 Resurfacing of Various Streets in the Ladera, North Fair Oaks, District 4 and Palomar Park Areas Project to:

O'Grady Paving, Inc.
2513 Wyandotte Street
Mountain View, CA 94043

3. The County of San Mateo shall enter into a written agreement with O'Grady Paving, 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 O'Grady Paving, 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 Materials Surety Bond ("Payment Bond") required to be posted by said Contractor with the County of San Mateo in connection

therewith.

5. The Director of Public Works is hereby authorized to execute change orders related to said work not exceeding \$134,290.90 in aggregate.
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 One Million Four Hundred Seventy-Seven Thousand One Hundred Ninety and No/100 Dollars (1,477,190) without this Board's approval.
7. The Director of Public Works is hereby directed to file a Notice of Exemption for a CEQA Categorical Exemption for this project.
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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Regularly passed and adopted this 10th day of May, 2011.

AYES and in favor of said resolution:

Supervisors:

CAROLE GROOM

DON HORSLEY

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

NONE

Carole Groom

President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

Rebecca Romero

Rebecca Romero, Deputy
Clerk of the Board of Supervisors

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