



# Mendocino County

## Legislation Details (With Text)

**File #:** 22-0782      **Version:** 1      **Name:**  
**Type:** Presentations      **Status:** Agenda Ready  
**File created:** 5/17/2022      **In control:** Transportation  
**On agenda:** 6/21/2022      **Final action:**  
**Title:** Discussion and Possible Action Regarding Bid Protest Hearing for the 2022 Corrective/Preventative Maintenance Project on Various County Maintained Roads; and Adoption of Resolution to Acknowledge Receipt of Bids, Resolve Any and All Bid Protests, and Award Department of Transportation Contract Number 220000 to the Lowest Responsive, Responsible Bidder (Willits/Brooktrails Area)  
(Sponsor: Transportation)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 22-147, 2. Letter, 3. Protest Resolution A, 4. Protest Resolution B, 5. 6-21-22 Protest Resolution B Redline - Approved as Amended During Mtg

Date	Ver.	Action By	Action	Result
6/21/2022	1	Board of Supervisors		

**To: Board of Supervisors**

**From:** Transportation

**Meeting Date:** June 21, 2022

**Department Contact:** Howard N. Dashiell

**Phone:** 707-463-4363

**Item Type:** Regular Agenda

**Time Allocated for Item:** 30 min.

**Agenda Title:**

Discussion and Possible Action Regarding Bid Protest Hearing for the 2022 Corrective/Preventative Maintenance Project on Various County Maintained Roads; and Adoption of Resolution to Acknowledge Receipt of Bids, Resolve Any and All Bid Protests, and Award Department of Transportation Contract Number 220000 to the Lowest Responsive, Responsible Bidder (Willits/Brooktrails Area)  
(Sponsor: Transportation)

**Recommended Action/Motion:**

Adopt the Resolution to acknowledge receipt of bids, resolve any and all bid protests, and award Department of Transportation Contract Number 220000 to the lowest responsive, responsible bidder (Willits/Brooktrails Area); and authorize Chair to sign the same.

**Previous Board/Board Committee Actions:**

By Resolution Number (No.) 22-083 (April 5, 2022), the Board of Supervisors (BOS) authorized the Director of Transportation to advertise and award Department of Transportation (DOT) Contract No. 220000.

**Summary of Request:**

DOT has prepared specifications, estimates, and contract documents for DOT Contract No. 220000, for the 2022 Corrective/Preventative Maintenance Project on: Goose Road, County Road (CR) 640, milepost (M.P.) 0.00 to M.P. 1.20; Primrose Drive, CR 604, M.P. 0.00 to M.P. 4.60; Poppy Drive, CR 623, M.P. 0.00 to M.P. 3.24; Lilac Road, CR 605, M.P. 0.00 to M.P. 1.43; Daphne Way, CR 608, M.P. 0.00 to M.P. 0.85. This project requires expertise and equipment to complete a Type III Micro-surfacing leveling course, apply a double chip seal, and paint traffic stripes and pavement markings. Goose Road (this project) also requires expertise and equipment to pulverize, compact and grade the road to specifications, and pave the road, (if any of the bid additives are awarded). The estimated cost of this project, including contingency, was \$4,083,620.00. Pursuant to Board Resolution 22-083 (April 5, 2022), bids for DOT Contract No. 220000, were opened as scheduled on Tuesday, May 3, 2022, at 2:00 PM. Northwest Paving, Inc. of Redding, California, was deemed the apparent “low bidder” for this project with a base bid of \$2,316,796.46. On May 13, 2022, DOT posted a Notice of Intent to Award the subject contract for the project to Northwest Paving, Inc.

The second lowest bidder, VSS International, Inc. of West Sacramento, California, with a bid of \$2,447,120.00, has protested awarding the contract to Northwest Paving, Inc. based on:

1. Northwest Paving, Inc. submitted an incomplete bid proposal by leaving 4 bid items blank.
2. Northwest Paving, Inc. did not include any Disadvantaged Business Enterprises (DBE) subcontractors. However, the contract has a 0.00% DBE goal, so this is not a requirement for the project.
3. Northwest Paving Inc. failed to complete the required bid form “Exhibit 12-B Part 2” or remove the form from the bid package.
4. Northwest Paving, Inc. failed to list two subcontractors as required by Public Contract Code. It is the opinion of VSS International, Inc. that Northwest Paving, Inc., lacks the expertise and equipment to perform the bid items for Micro-surfacing leveling course and Pulverized Roadbed.

Please see the attached letter from the Director of Transportation for additional information. Two draft resolutions have been prepared for this item. Both parties have been invited to attend and address the Board on this matter.

**Alternative Action/Motion:**

Reject all bids and have DOT re-advertise the project and delay commencement of the project.

**Does This Item Support the General Plan?** Yes

**Supervisory District:** District 3

**vote requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** Senate Bill 1 Road Repair & Accountability Act of 2017, Road Maintenance and Rehabilitation Account Funds

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budget clarification:** N/A

**budgeted in current f/y:** No

**if no, please describe:** Fiscal Year 22/23 (\$3.5 million estimated)

**revenue agreement:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Steve Dunncliff, Deputy CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Deputy Clerk II

Date: June 21, 2022

Final Status: Approved with Modification

Executed Item Type: Resolution Number: 22-147

