

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS
County of Placer

TO: BOARD OF SUPERVISORS DATE: June 8, 2010

FROM: KEN GREHM / PETER KRAATZ

SUBJECT: **AWARD OF CONSTRUCTION CONTRACT NO. 1085 FOR THE TAHOE CITY TRANSIT CENTER TO THE NEXT BIDDER**

ACTION REQUESTED / RECOMMENDATION

Adopt a Resolution acknowledging the failure of Aspen Developers Corporation to execute a contract for construction of the Tahoe City Transit Center; awarding Contract No. 1085 to the next lowest responsive and responsible bidder, Gilbane Building Company, in the amount of \$4,292,169.65; and, authorizing the Director of Public Works to approve and sign contract change orders up to \$429,216.

BACKGROUND / SUMMARY

The Tahoe City Transit Center (TCTC) will be constructed on the US Forest Service 64-Acre Tract located at 165 West Lake Boulevard, Tahoe City, California on the west side of State Route (SR) 89 (see attached location map). The total facility footprint covers approximately 2.5 acres.

The proposed project consists of an intermodal transit center for Placer County Public Work's TART public bus system, associated parking facilities for public use, bicycle paths to promote intermodal use, relocation of the River Access Road and improvements along SR 89. The TCTC will include (1) parking for six TART buses at one time; (2) 130 parking spaces for transit and other uses; (3) seating/waiting space for a maximum of 100 persons; (4) an enclosed structure for transit patrons, which will include a heated waiting space with bench seating for 40 people and changeable interpretive/tourist displays; (5) public restrooms, which will be accessible during all hours of transit operation; (6) an office to provide ticket sales, information and other transit functions; (7) storage, mechanical and equipment rooms; (8) outside covered walkways and waiting areas; (9) bicycle lockers and racks, to encourage intermodal use; and (10) racks for temporary storage of skis and snowboards.

The project is identified in the Tahoe Regional Planning Agency's (TRPA) Environmental Improvement Program (EIP) as Project EIP No. 856, the basis for which is to improve air quality and protect Lake Tahoe's famed water quality. The project is also consistent with numerous agency transportation plans, community plans, and studies.

Bids were opened on February 22, 2010. Nine (9) bids were received and one (1) was found to be nonresponsive. The County initially received a total of five (5) bid protests and other protest-related correspondence that were reviewed and determined to be not valid and/or not timely. One bidder, Gilbane Building Company, filed an appeal to the Director of Administrative Services of the determination of an untimely protest. A Bid

Protest Committee hearing was held on April 13, 2010 to consider the appeal. The Bid Protest Committee upheld the Director of Administrative Services' decision that the protest was untimely and, therefore, could not be considered any further.

The lowest responsive and responsible bidder at the time was determined to be Aspen Developers Corporation of Truckee, California, with a bid of \$4,225,909.10. However, Aspen Developers failed to enter into a contract with the County; the Department therefore recommends awarding the contract to the next lowest responsive and responsible bidder, Gilbane Building Company, in the amount of \$4,292,169.65. The new award amount is about 5 percent below the engineer's estimate of \$4,500,000.00. Gilbane's prior bid protest does not, on the facts of that protest, affect its eligibility to be awarded the contract.

On May 26, 2010 the Department of Public Works received as the sole County addressee a letter from Clark and Sullivan Construction objecting to the award to Gilbane. The Department has reviewed that letter and continues to recommend award to Gilbane. The Department did not consider the Clark and Sullivan letter as a bid protest as the letter failed to meet the requirements for a bid protest contained in the project bid documents and the County's Purchasing Policy Manual.

ENVIRONMENTAL

The County prepared a joint Environmental Impact Report/Statement/Statement (EIR/EIS/EIS) with the TRPA and United States Forest Service (USFS) in 2000 to satisfy CEQA, NEPA and TRPA requirements for environmental analysis of the project. The Placer County Board of Supervisors directed staff to study additional site alternatives, for which the County prepared a Recirculated EIR in 2005. The Board of Supervisors certified the Final EIR on January 24, 2006.

FISCAL IMPACT

The total project cost is estimated to be \$7,400,000 with construction costs, including inspection and construction management, estimated at \$5,100,000. The project is fully funded through grants from Federal Infrastructure Stimulus funds, the Federal Transit Administration (FTA) Section 5309 Bus Fund, Proposition 1(B), FTA Alternative Transportation in Public Parks and Lands (ATPPL), Placer County Redevelopment Agency, Placer County Traffic Mitigation Fees, Placer County Clean Air Grant, California Tahoe Conservancy (CTC), North Lake Tahoe Resort Association (NLTRA). Funding for the construction of this project is included in both the 2009-10 and 2010-11 Fiscal Years Budgets.

Attachments:
Resolution
Location Map

On File with the Clerk of the Board:
Bids and Bid Summary List
Bid Correspondence
Proposed Contract
Engineer's Estimate

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of: A RESOLUTION
ACKNOWLEDGING ASPEN DEVELOPERS
CORPORATION'S FAILURE TO EXECUTE A
CONTRACT AND AUTHORIZING THE CHAIRMAN
TO EXECUTE CONSTRUCTION CONTRACT NO.
1085 WITH GILBANE BUILDING COMPANY FOR
THE CONSTRUCTION OF THE TAHOE CITY
TRANSIT CENTER, AND AUTHORIZING THE
DIRECTOR OF PUBLIC WORKS TO APPROVE
AND SIGN CHANGE ORDERS

Resol. No:.....

Ord. No:.....

First Reading:.....

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board Of Supervisors

Attest:
Clerk of said Board

WHEREAS, the Board of Supervisors of the County of Placer, State of California awarded Placer County Construction Contract No. 1085 for the Tahoe City Transit Center to Aspen Developers Corporation on April 27, 2010.

WHEREAS, Aspen Developers Corporation failed to execute the contract as awarded.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Placer, State of California, that this Board approves and authorizes the Chairman to execute Construction Contract No. 1085 for the Tahoe City Transit Center with the next lowest responsive and responsible bidder, Gilbane Building Company, in the amount of \$4,292,169.65, and further authorizes the Director of Public Works to approve and sign contract change orders up to \$429,216.

PLACER COUNTY
DEPARTMENT OF
PUBLIC WORKS

TAHOE CITY TRANSIT CENTER VICINITY MAP

VICINITY AND LOCATION MAP

