



**March 12, 2020**

**To:** Transit Committee

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** Agreement for Asphalt Pavement Replacement at the Fullerton Park and Ride

### **Overview**

As part of the Orange County Transportation Authority Fiscal Year 2019-20 Budget, the Board of Directors approved asphalt pavement replacement at the Fullerton Park and Ride. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Approval from the Board of Directors is requested to execute the agreement.

### **Recommendations**

- A. Find PaveWest, Inc., the apparent low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1796 between the Orange County Transportation Authority and Onyx Paving Company, Inc., the lowest responsive, responsible bidder, in the amount of \$210,000, for asphalt pavement replacement at the Fullerton Park and Ride.

### **Discussion**

The Orange County Transportation Authority (OCTA) completed construction of the Fullerton Park and Ride facility in 1981. OCTA needs to replace a portion of deteriorated asphalt pavement in the Fullerton Park and Ride parking lot. The project scope covers two parking bays and includes removal of existing asphalt pavement, preparing subgrade material, placement of aggregate base and new asphalt pavement, striping, traffic control, safety compliance, and related work. The asphalt pavement replacement is necessary to maintain the Fullerton Park and Ride in a state of good repair for public use.

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***Procurement Approach***

This procurement was handled in accordance with OCTA's Board of Directors-approved procedures for public works projects. These procedures, which conform to both federal and state requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 9-1796 was electronically released on January 7, 2020, through OCTA's CAMM NET system. The project was advertised on January 7 and 13, 2020, in a newspaper of general circulation. A pre-bid conference and job walk was held on January 14, 2020, and was attended by 11 firms. Three addenda were issued to provide the pre-bid conference registration sheets and handle administrative issues related to the IFB. On February 4, 2020, 11 bids were received and publicly opened.

All bids were reviewed by staff from both the Contracts Administration and Materials Management and Facilities Engineering departments to ensure compliance with the technical specifications and contract terms and conditions. The list of bidders and bid amounts is presented below:

| <u>Firm and Location</u>  | <u>Bid Amount</u> |
|---|-------------------|
| PaveWest, Inc.<br>Artesia, California 90701   | \$207,892         |
| Onyx Paving Company, Inc.<br>Anaheim, California 92806                                | \$210,000         |
| Superior Paving Company, Inc., dba United Paving Co.<br>Corona, California 92879      | \$222,467         |
| Ben's Asphalt, Inc.<br>Santa Ana, California 92704                                    | \$231,444         |
| All American Asphalt<br>Corona, California 92879                                      | \$239,239         |
| Century Paving, Inc.<br>La Mirada, California 90638                                   | \$249,875         |
| Prestige Striping Services, Inc., dba Prestige Paving Co.<br>Corona, California 92882 | \$254,802         |

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| R.J. Noble Company<br>Orange, California 92865                       | \$258,493 |
| PALP, Inc., dba Excel Paving Company<br>Long Beach, California 90806 | \$268,227 |
| Roadway Engineering & Contracting, Inc.<br>Fontana, California 92337 | \$392,400 |
| Aid Builders, Inc.<br>Los Alamitos, California 90720                 | \$465,000 |

The apparent low bidder, PaveWest, Inc., was found non-responsive due to failure to comply with the required Disadvantaged Business Enterprise participation requirements in accordance with regulations from the United States Department of Transportation, which is providing funding for the project.

The recommended firm's bid is 55 percent below the engineer's estimate of \$470,000. The total bid amount is fair and reasonable as it appears that the bidder is considering the use of recycled asphalt and aggregate base products allowed in the specifications. The independent cost estimate is not based on recycled use of these products. Onyx Paving Company, Inc. (Onyx), met the requirements of the IFB, as well as all federal and state requirements.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to Onyx, the lowest responsive, responsible bidder, in the amount of \$210,000, for asphalt pavement replacement at the Fullerton Park and Ride.

#### **Fiscal Impact**

The project was approved in OCTA's Fiscal Year 2019-20 Budget, Capital Programs Division, Account No. 1722-9022-D3139-TX3, and is funded by a grant from the Federal Transit Administration 5337 State of Good Repair Program, Account No. 0030-6041-D3139-MJR.

#### **Summary**

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-9-1796 between the Orange County Transportation Authority and Onyx Paving Company, Inc., the lowest responsive, responsible bidder, in the amount of \$210,000, for asphalt pavement replacement at the Fullerton Park and Ride.

***Attachment***

None.

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