



Midpeninsula Regional  
Open Space District

R-12-87  
Meeting 12-29  
August 22, 2012

## AGENDA ITEM 6

### AGENDA ITEM

Authorization to Award a Contract with TKO General Engineering and Construction Inc., (TKO) for the Ponds DR07 and DR08 Repair Project at La Honda Creek Open Space Preserve

### GENERAL MANAGER'S RECOMMENDATION

A handwritten signature in black ink, appearing to be "G.M.", is written over the end of the "GENERAL MANAGER'S RECOMMENDATION" heading.

Authorize the General Manager to execute a contract with TKO for a not-to-exceed amount of \$77,340, which includes a bid amount of \$64,450 plus a 20% contingency of \$12,890, for the Ponds DR07 and DR08 Repair Project at La Honda Creek Open Space Preserve.

### SUMMARY

The Request for Bids for the Ponds DR07 and DR08 Repair Project was originally released on May 30, 2012. On July 25, 2012 (see Report R-12-76), the District Board of Directors directed staff to reject all bids originally received on July 6, 2012 due to an inadvertent error that occurred in the bidding process prior to the original bid opening. Rejection of all bids resulted in the need to re-bid the project. The District completed the re-bid process on Thursday August 16, 2012 with TKO as the apparent low bidder.

### DISCUSSION

#### Project Background

The Ponds DR07 and DR08 Repair Project is located in the former Wool Ranch area of the La Honda Creek Open Space Preserve (Preserve), northwest of the Town of La Honda, adjacent to an unpaved ranch road. The project's objective is to restore the integrity of two important wetland features that provide important aquatic habitat for the federally-listed California red-legged frog (CRLF), and improve water quality while providing year-round stock water access for the onsite cattle operation. The goal of the Project is to re-contour pond basins, rebuild failed or failing earthen berms, and install vegetation-lined earthen spillways to effectively convey stormwater while improving ponding duration for both the CRLF and livestock managed by an existing leaseholder. Additional project components include removing invasive and non-native vegetation, installing cattle exclusion fencing, installing an alternate watering source (trough), and preventing erosion and downstream sedimentation.

The need to repair Ponds DR07 and DR08 was first identified in the Pond Management Plan prepared by Vollmar Consulting in 2009 for the former Wool Ranch portion of La Honda Creek

Open Space Preserve. Restoration of these two ponds was identified as a high priority implementation item based on water actively flowing across and through the earthen berms. The two ponds are compromised by either early drying (Pond DR08) or sedimentation and choking by invasive wetland vegetation (Pond DR07), which impact CRLF breeding opportunities. Project construction is scheduled for completion in October 2012.

### Contractor Selection

The re-released bid package was sent to the five (5) contractors who previously bid the project on Friday, July 6, 2012, as well as re-released to five (5) builders' exchanges. A legal notice was also posted in the Half Moon Bay Review and San Mateo County Times, and an Invitation to Bid was posted on the District website. A second pre-bid meeting was held on August 6, 2012. Prospective bidders who attended the first pre-bid tour held for this project on Friday June 8, 2012, were not required to attend the August 6, 2012 meeting. All information resulting from the August 6, 2012, pre-bid tour was furnished to all firms that previously submitted a bid for the project in an Addendum issued for the project on August 10, 2012. All firms that previously submitted bids were encouraged to re-submit bids for the project.

Sealed bids were due on August 16, 2012, and four (4) bids were received as shown below, with TKO announced as the apparent low bidder:

	Bidder	Location	Total Bid	Percent Difference from Cost Estimate of \$100,000
1.	TKO General Engineering and Construction Inc.	Woodside, CA	\$64,450	-36%
2.	Gecko Golf Construction Inc.	San Ramon, CA	\$78,000	-22%
3.	Redwood Construction and Equipment, Inc.	Redwood City, CA	\$89,875	-10%
4.	Applied Water Resources	Santa Clara, CA	\$94,730	-5%

Evaluation of the bids revealed that the apparent low bidder, TKO presented a complete and responsive bid package. Therefore, staff recommends awarding the contract for pond repair services to TKO for a total not-to-exceed amount of \$77,340, which includes a bid amount of \$64,450 plus a 20% contingency amount of \$12,890. This amount is within the FY2012-13 Natural Resources Department budget of \$100,000 for implementation of this Project.

It is impossible to predict belowground conditions at the start of any construction project; however, this project carries an even greater risk of encountering unanticipated conditions than normal. These berms were originally installed by ranch staff using any and all available materials. When repairing these types of berms, it is not unusual to encounter unstable fill, such as old car bodies, cow carcasses, old fence posts, or other miscellaneous ranch materials. Any unstable materials found would need to be safely removed and replaced with engineered fill to rebuild the berm. To streamline the construction process and ensure the project moves forward in a timely manner for completion this construction season, a 20% contingency amount is requested for this Project due to the unique conditions that may be encountered when rebuilding the two earthen berms. Additional costs that may need to be covered due to unanticipated materials include: additional grading, excavation, and compaction to rebuild a larger than anticipated portion of the berm, as well as the disposal of materials. The two berms are also located directly within drainages that convey water during all or much of the year. Once digging

begins, water logged or sandy soils may be encountered, indicating a potential structural issue and the need to replace a larger than anticipated section of berm. Although soil borings have been conducted at both sites, these only present a small sampling of the entire berm.

**FISCAL IMPACT**

In March of 2012, the District's Board of Directors approved the FY2012-13 Natural Resources Department budget, which included \$100,000 for this project.

**BOARD COMMITTEE REVIEW**

No Board Committee review is required for this project.

**PUBLIC NOTICE**

Public notice for the award of bid was provided as required by the Brown Act. No additional notice is required.

**CEQA COMPLIANCE**

Awarding the bid and issuing a contract agreement for construction services for the Ponds DR07 and DR08 Repair Project is consistent with the Mitigated Negative Declaration and Mitigation Monitoring Plan for Implementation of the Pond Management Plan that was approved by the Board on March 14, 2012 (see Report R-12-33).

**NEXT STEPS**

If approved by the Board, the General Manager will be authorized to enter into a contract with TKO to perform construction services for the Ponds DR07 and DR08 Repair Project. Final contract signature is subject to meeting all District requirements such as having all required insurance and bonding in place.

Once paperwork and contract signatures are in place, the project is scheduled to begin in September and be completed by October 2012.

Responsible Department Manager:  
Kirk Lenington, Natural Resources Manager

Prepared by:  
Julie Andersen, Planner II

Contact person:  
Same as above