



August 3, 2023

TO: LOCSD Board of Directors

FROM: Ron Munds, General Manager

SUBJECT: Agenda Item 11F – 08/03/2023 Board Meeting
Authorize a Formal Bid Process and Executing a Related Contract for the Program C Well Equipping Project (Project)

DESCRIPTION

President

Charles L. Cesena

Vice President

Marshall E. Ochylski

Directors

Matthew Fourcroy
Troy C. Gatchell
Christine M. Womack

General Manager

Ron Munds

District Accountant

Robert Stilts, CPA

Unit Chief

John Owens

Battalion Chief

Paul Provence

The District has been pursuing the construction of a new municipal well, referred to as a Los Osos Basin Plan Program C well, for the past five years. The current project, both well, pipeline and equipping phases, have been through environmental review, the County's Minor Use Permit process and is now ready to proceed with the well equipping construction phase of the work. The project was identified and approved in the 2023-24 Capital Project budget. This report summarizes the actions needed to move the construction phase of the well equipping project forward.

STAFF RECOMMENDATION

This item will be approved along with the Consent Calendar unless it is pulled by a Director for separate consideration. If so, Staff recommends that the Board adopt the following motion:

Motion: I move that the Board:

- 1. Authorize a formal bid process for the Program C Well Equipping Project; and***
- 2. Set the date for receipt of Construction Bids as September 14, 2023; and***
- 3. Authorize the General Manager to execute a contract amendment with MNS Engineering, for bid phase and engineering support during construction services in the amount of \$47,096; and***
- 4. Authorize the General Manager to execute the related well equipping contract if the lowest responsive bid is deemed a reasonable bid, and within 20% of the Engineer's Estimate of \$750,000; and***
- 5. Approve a project budget of \$891,805.00 which includes all support services and contingencies.***

DISCUSSION

The District has been pursuing the construction of a new municipal well, referred to as a Los Osos Basin Plan Program C well, for the past five years. The current project, both well, pipeline and equipping phases, have been through environmental review, the County's Minor Use Permit process and is now ready to proceed with the well equipping phase of the work.

The well equipping phase of the project includes the construction of a chemical and electrical building, wellhead piping, chemical feed appurtenances, site improvements and other related infrastructure to pump and deliver water to the water distribution system. The Board has already authorized the construction of the Program C Pipeline that will convey this potable water from the Program C Well Site to the District's main water zone at a tie-in location at Nipomo Avenue/Mountain View Avenue. Wallace

Mailing Address:

P.O. Box 6064
Los Osos, CA 93412

Offices:

2122 9th Street, Suite 110
Los Osos, CA 93402

Phone: 805/528-9370

FAX: 805/528-9377

www.losososcsd.org

Group has prepared the Invitation to Bid documents which staff is requesting the approval of by the Board.

The plans and specifications (design documents) were prepared by MNS Engineers. Because of the size of the documents, attached to this report is the Invitation to Bid section. The entire project manual is available to the public upon request and on the District's website at www.losososcsd.org. MNS Engineers has prepared the Engineer's Estimate of Probable Construction Cost estimated at \$750,000.

FINANCIAL IMPACT

The overall Project cost will include contracted professional services and construction costs. As mentioned, this project was identified in the 2023-2024 budget and Capital Improvement Project Plan which was approved by the Board June 4, 2020; the current revised budget for the project is \$891,805.

Staff is requesting the approval for the General Manager to execute the agreement with the lowest responsive bidder if the bid is reasonable, and within 20% of the estimated project identified above. The bids will be reviewed by a team consisting of the General Manager, MNS Engineers staff and engineers from Wallace Group.

If the lowest responsive bid is not within 20% of the engineer's estimate, or not deemed a reasonable bid, staff will return to the Board with the results and an alternative recommended action to move the project forward. The project overall costs are summarized as follows:

Estimated Project Cost Summary	
Activity	Cost
Engineering Support During Bidding/Construction	\$47,096
Construction	\$750,000
Total	\$797,096
Recommended 10% Construction Contingency	\$79,709.00
District Engineer Support	\$15,000
Permits	TBD
Total Estimated Cost	\$891,805

Attachments

Invitation to Bid Summary (complete package is on the District's website; www.losososcsd.org)
MNS Engineering Support Services Contract Amendment

LOS OSOS COMMUNITY SERVICES DISTRICT

PROGRAM C WELL EQUIPPING PROJECT

NOTICE INVITING BIDS

NOTICE IS HEREBY GIVEN that the LOS OSOS COMMUNITY SERVICES DISTRICT (Owner) hereby invites sealed bids which will be received at:

LOS OSOS COMMUNITY SERVICES DISTRICT
2122 9TH STREET, SUITE 110
LOS OSOS, CA 93402

until **Thursday, September 14, 2023, 3:00 pm PST** (local time) or such later date as may be set by Addendum, at which time and at the above address, they will be publicly opened and read aloud for performing the following work:

DESCRIPTION OF WORK: The work is comprised of providing a 200-gpm well pump, well piping, ancillary equipment, and a new electrical/chemical storage building for a recently drilled/installed municipal water well at the Los Osos CSD's project site located at Bay Oaks Drive and South Bay Boulevard, and as specified herein and as shown on the Contract Documents. This well equipping Project will pump water into a new water transmission main (to be constructed at or about the same time as this Project) that will convey potable water to the District's main zone water system tie-in located at the intersection of Nipomo Avenue and Mountain View Drive, Los Osos, CA.

LOCATION OF THE WORK - The work is located in Los Osos, San Luis Obispo County, California and more specifically at the locations described in the above Description of Work.

BID OPENING - Telephones will not be available to bidders for the preparation of the bids or for calling in bid results. Bid forms received after the designated time will not be accepted. Bidders, their authorized agents and other interested parties, are invited to attend the bid opening.

AWARD OF CONTRACT- The OWNER intends to award a contract **to the lowest, responsive, and responsible bidder to the bid schedule delineated in these contract documents.** All bids submitted shall be in accordance with the provisions of the Contract Documents and the OWNER may waive any minor irregularities or reject any and all bids. Any bid may be withdrawn prior to bid opening but not afterward.

FORM OF THE BID - Bidders must submit proposals on the proposal bid form provided. Proposals will not be considered unless submitted on proposal forms included in the Contract Documents obtained from the OWNER. It is **not mandatory**, but highly recommended, that the bidder attend the pre-bid job conference scheduled for Tuesday, August 15, 2023, at 10 am, at the Project Site, Bay Oaks Drive/South Bay Boulevard, Los Osos, CA 93402. The bidder may contact Steve Tanaka at 805-441-2293 for additional information.

BID SECURITY - Each proposal must be accompanied by cash, a certified or cashier's check, or bidder's bond on the prescribed form and made payable to the OWNER for an amount equal to at least 10 percent of the amount of the Bid, such guaranty to be forfeited should the apparent successful bidder to whom the contract is awarded fail to furnish the required bonds and insurance certificates, and enter into contract with the OWNER within the time stated in the Proposal requirements. Proposals cannot be withdrawn for the period of time specified in Article 10 of the Instructions to Bidders.

PERFORMANCE SECURITIES – The successful bidder will be required to furnish a payment bond and faithful performance bond in the full amount of the Contract price, and insurance with certificates and endorsements of insurance, as provided in the Contract Documents. The required bonds must be provided only by a surety insurer who is in good standing with the State of California Department of Insurance.

CONTRACTOR LICENSING - In accordance with the provisions of California Public Contract Code Section 3300, the OWNER has determined that the contractor shall possess a valid Class "A" General Engineering Contractor license at the time of bid issuance. Failure to possess the specified license shall render the Bid as non-responsive and shall act as a bar to award of the Contract to any bidder not possessing said license at the time of award. In the event of dispute over classification of the license required, the opinion of the contractor's State License Board shall prevail.

WAGE RATE REQUIREMENTS - In accordance with the provisions of California Labor Code Sections 1770, 1773, 1773.1, 1773.6 and 1773.7 as amended, the Director of the Department of Industrial Relations has determined the general prevailing rate of per diem wages in accordance with the standards set forth in Section 1773 for the locality in which the work is to be performed. A copy of said wage rates is on file at the office of the OWNER. It shall be mandatory upon the contractor to whom the work is awarded and upon any subcontractor under the contractor to pay not less than said specified rates to all workmen employed by them in the execution of the work.

CONTRACTOR REGISTRATION WITH DEPARTMENT OF INDUSTRIAL RELATIONS – In accordance with California Labor Code Section 1725.5, Contractors and Subcontractors (as defined by California Labor Code Section 1722.1) bidding on Public Works contracts in California shall be registered with the Department of Industrial Relations **prior to bidding**. Contractor shall verify that this requirement has been met, prior to award of Contract.

AGREEMENT TO ASSIGN - In accordance with Section 4552 of the California Government Code, the bidder shall conform to the following requirements: In submitting a bid to a public purchasing body, the bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act 15 U.S.C. 15, or under the Cartwright Act, Chapter 2.

DEPOSIT OF SECURITIES IN LIEU OF RETAINAGE - The Contractor may elect to receive 100 percent of payment due under the Contract Documents from time to time, without retention of any portion of the payment by the OWNER, by depositing securities of equivalent value with the OWNER in accordance with the provisions of Section 20300 of the California Public Contract Code. Such securities, if deposited by the Contractor, shall be valued by the OWNER, whose decision on valuation of the securities shall be final. Securities eligible for investment under this provision shall be limited to those listed in Section 16430 of the California Government Code or bank or savings and loan certificates of deposit.

CONTRACT DOCUMENTS - Contract Documents, including Instructions to Bidders, the Contract Specifications and Drawings may be viewed and obtained at the office of the Owner, 2122 9th Avenue, Suite 110, Los Osos, CA 93402.

Only PDF electronic copies of the bid documents will be made available to bidders, at no charge to bidders. The special attention of prospective bidders is called to the Instructions to Bidders portion of the Contract Documents for full directions for bidding the Work.

The successful bidder must insure that employees and applicants for employment are not discriminated against on the basis of age, color, race, national origin, ancestry, religion, sex, sexual preference, marital status, and shall comply with the Americans with Disabilities Act.

Date: 7/28/23

OWNER:  _____
RON MUNDS, GENERAL MANAGER

END OF NOTICE INVITING BIDS

AMENDMENT # 1
to the
January 16, 2023 PROFESSIONAL SERVICES AGREEMENT BETWEEN THE
LOCSD AND MNS Engineers, Inc. (MNS)
FOR
Program C Well Equipping

Pursuant to the January 16, 2023 Professional Services Agreement between LOCSD and MNS (hereinafter referred to as "Consultant"), LOCSD and Consultant hereby agree as follows:

1. Additional services shall be performed as part of Exhibit A of the Agreement, Tasks 8 and 9, Engineering Support During Bidding, and Engineering Support During Construction, respectively.
2. Compensation for the additional services shall not exceed the amount of \$47,096, without prior written approval of the LOCSD. Compensation for services described in this Amendment 1 are summarized as follows:

a)	Original Scope of Services	\$160,323
b)	Amendment No. 1 Design Services	<u>\$ 47,096</u>
c)	TOTAL:	<u>\$207,419</u>
3. All other provisions of the 1-16-23 Professional Services Agreement between LOCSD and Consultant shall remain in full force and effect.

LOCSD

MNS Engineers, Inc.

By: _____
General Manager

By: _____

Date: _____

Date: _____