

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.13
(ID # 17998)

MEETING DATE:
Tuesday, March 22, 2022

FROM : FACILITIES MANAGEMENT:

SUBJECT: FACILITIES MANAGEMENT: Mecca Regional Sports Park - Approval of Construction Contract for Three Peaks Corporation, District 4. [\$4,629,000, 86.82% Statewide Park Development and Community Revitalization Grant Funds, 10.94% Riverside County Transportation Purchase of Right of Way Funds, 2.24% Community Development Block Grant Funds (Previously approved budget)]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Addenda Nos. 1, 2 and 3 to the plans and specifications for the Mecca Regional Sports Park (Mecca Sports Park) Project issued prior to the bid opening;
2. Waive any and all immaterial bid irregularities, accept the low bid and approve the attached construction contract between the County of Riverside (County) and Three Peaks Corporation (Three Peaks) of Calimesa, California, for the Mecca Sports Park Project, including Bid Alternates 2 through 5, in the amount of \$4,629,000, and authorize the Chairman of the Board to execute the contract on behalf of the County; and
3. Authorize the Director of Facilities Management, or her designee, to administer the construction contract with Three Peaks for the Mecca Sports Park Project in accordance with applicable Board Policies.

ACTION:Policy, CIP


Rose Salgado, Director of Facilities Management 2/24/2022

MINUTES OF THE BOARD OF SUPERVISORS

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 800,000	\$ 3,829,000	\$ 4,629,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Statewide Park Development and Community Revitalization Grant Funds-86.82%, Riverside County Transportation Purchase of Right of Way Funds-10.94%, Community Development Block Grant Funds-2.24%. (Previously approved budget)			Budget Adjustment: No	
			For Fiscal Year: 2021/22-2022/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On October 19, 2021, Item 3.11, the Board of Supervisors (Board) approved the plans and specifications for bidding and construction of the Mecca Sports Park Project. On December 9, 2021, the bid opening was held at the Clerk of the Board’s Office and a total of six bids were received. The apparent low bid was submitted by Three Peaks Corporation (Three Peaks) with a base bid of \$3,350,000 and Alternates 2 through 5 for a total of \$4,629,000.

A bid protest was received by the second lowest bidder, Marina Landscape, Inc., outlining two issues of concern that formed the basis of their request to declare Three Peaks bid as non-responsive: 1) that Three Peaks failed to designate a landscape and irrigation subcontractor or a plumbing subcontractor and did not hold the proper licenses allowing them to self-perform these trades; and 2) that the Bid Bond and Bid Security Receipt were incomplete and had not been properly completed. In collaboration with County Counsel the basis for protest was reviewed as follows:

Currently, and at the time of its bid submittal, Three Peaks holds a contracting license, active and in good standing, issued by the Contractors State License Board for the State of California for the following license classifications: “A”, “B”, “C10” and “C33”. Three Peaks has fulfilled the licensing requirements set forth in the Notice Inviting Bids by holding a Class “B” license. The additional items listed (landscape and irrigation improvements, paving, lighting, plumbing and grading) for this Project may be performed by a contractor with a Class “B” license pursuant to Business and Professions Code § 7057(b), because there are at least two unrelated building trades or crafts other than framing or carpentry required to complete this contract. Therefore, Three Peaks holds the proper licenses allowing them to self-perform the landscape and irrigation and plumbing scope items necessary to complete this Project.

(Continued)

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BACKGROUND:

Summary (Continued)

Furthermore, the bid bond submitted by Three Peaks included the wrong bid date and did not include the written value of the total bid, nor in the bid security receipt. In addition, the bid security receipt did not write out the amount of the bid bond, but simply noted 10%. However, these constituted immaterial irregularities that do not materially affect the price, quantity, quality, delivery, or terms that were clearly identified as material in the bid documents; and where such deviation would not give the bidder an unfair advantage relative to the other bidders or could withdraw its bid without forfeiting its bid security.

The County has undertaken considerable due diligence in evaluating each bid proposal and since the bid bond submitted by Three Peaks remains valid and since Three Peaks holds the license classification required for this Project, Facilities Management recommends the Board accept the bid and award the construction contract to Three Peaks in the amount of \$4,629,000 for the Mecca Sports Park Project.

Impact on Residents and Businesses

The Mecca Regional Sports Park will provide a community gathering space in the town of Mecca and will transform a vacant lot into an active, lively and green place. The Park will provide organized sports leagues a local space to compete. In addition to sports fields, the sand volleyball courts, the planned open green space, picnic areas and outdoor exercise stations will provide residents an amenity for families, seniors and community groups for a variety of activities.

Additional Fiscal Information

The Board previously approved a project budget in the amount of \$6,700,660 on January 12, 2021 (Item 3.11) and is funded as follows: Statewide Park Development and Community Revitalization Grant Funds-86.82%, Riverside County Transportation Purchase of Right of Way Funds-10.94%, and Community Development Block Grant Funds-2.24%. The construction contract amount of \$4,629,000 is covered within the approved project budget. Expenditures for FY 2021/22 are estimated at \$800,000; expenditures for FY 2022/23 are estimated at \$3,829,000.

Attachments:

- Bid Addenda Nos. 1, 2 and 3
- Construction Contract with Three Peaks Corporation

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Meghan Hahn, Senior Management Analyst 3/10/2022