

CIFAC Progress and Accomplishments

FEBRUARY 1 THROUGH FEBRUARY 29, 2016

NORTHERN CALIFORNIA

INVESTIGATIONS

City College of San Francisco – CCSF CH160201 (350 work hours - \$15,000; 750 work hours or \$21,000 of materials) City and County of San Francisco

Hilliard was contacted by a *San Francisco Weekly* reporter regarding a December 10th Emergency Waiver Resolution for six projects that did not appear to qualify as emergencies. The projects were: an HVAC pump replacement in the Creative Arts building (\$100,000); a Health Center boiler and HVAC replacement (\$250,000); a Conlan Hall water main pipe replacement (\$100,000); a child care center relocation and construction project (\$2,750,000); preparation for a new temporary location at 1170 Market Street (\$525,000); downtown campus underground storage tank and pipe replacement (\$100,000). Hilliard told the *San Francisco Weekly* reporter that lack of planning does not qualify as an emergency. Two of the projects being funded by Proposition A passed by a large majority of voters in 2012 could not be defined as emergencies. There was also a question of whether bond funds, meant to support courses and academics to keep the college accredited, could be used for construction. Hilliard contacted the Chancellor who said they were trying to move fast to get things done before school resumed on January 19th. Hilliard sent a letter to the Board of Trustees and the Chancellor requesting documents.

In addition, CIFAC President Dave Thomas met with members of the Board of Trustees and staff. Laborers Local 261 facilitated the meeting. CCSF representatives said it was their intention to comply with the law and they would write CIFAC a letter and provide the information requested by Hilliard. They told Thomas that In June they will bid a \$2.75 million construction project.

Approximate Value: \$4 million

Status: Resolution pending receipt of the letter.

INVESTIGATIONS

City of Santa Rosa MT160201 (Charter-\$10,000) Sonoma County

Tucker was contacted regarding the Courthouse Square Renovation project. Information available online indicated that several large trees would be removed this month with construction to commence soon. Tucker was asked to inquire about the bid procedures used on this work. Tucker contacted the City for more information. The tree removal portion was bid pursuant to the City's minor capital outlay project procedures in December, 2015. The contract was awarded to the lowest bidder on January 26, 2016. The renovation work is still in the design phase and will be bid once plans and specs. are finalized.

Approximate Value: \$10 million

Status: Resolved

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County of Merced MT160202 (\$6,500)

Tucker was contacted regarding bid irregularities on the Tenant Improvements for Human Services Agency at Castle Commerce Center. This project comprises exterior and interior accessibility and ADA improvements, minor interior remodeling, HVAC and Fire Suppression installation at data rooms and emergency exit lighting and other electrical modifications. Tucker sent a formal letter to the County listing the violations and was contacted by County Counsel. There appeared to be a difference of opinion as to how the County should proceed. Tucker sent formal letters and appeared at the Board of Supervisors meeting to speak on the item. All bids were successfully rejected, with an increased budget the project went to rebid on February 16, 2016.

Approximate Value: \$850,000

Status: Influenced/Resolved

County of Yuba MT160303 (CUCCAA-\$45,000)

Tucker was contacted regarding an insulation encapsulation project at Camp Singer. This project was bid and contractors were notified that the County intends to self-perform the work. This process is allowed under certain circumstances so Tucker submitted a records request that included a copy of the project estimate and budget. The County received the request and is in the process of gathering documents for Tucker's review.

Approximate Value: \$200,000

Status: Ongoing

Santa Cruz Port District MT160204 (CUCCAA-\$45,000) Santa Cruz County

Tucker was contacted regarding an emergency dredging project at the port entrance. Concerns arose regarding the necessity of this emergency declaration as there have been questions on past projects. Tucker reviewed project information and all proper emergency procedures were followed and are allowed under the Code. Upon research, Tucker noted no PWC 100's reported on any port projects. Tucker will request additional information and forward it as necessary.

Approximate Value: \$50,000

Status: Resolved/Monitor

Caltrans District 10 MT160205 (\$281,000) Calaveras County

Tucker was contacted regarding a culvert installation project in progress on Highway 26, which did not appear to have bid. Tucker contacted Caltrans and was told that the project was deemed an emergency by the District 10 Director. This project was located within the Butte Fire boundaries. The scope of work was for the removal of hazard trees, erosion control, debris removal, drainage rehabilitation and the installation of two culverts. No cost estimate was available. Caltrans maintains a list of contractors that are contacted for these types of projects so it is important for them to contact the districts in their area to be included on the list.

Approximate Value: Unknown

Status: Resolved

City of Lodi MT160206 (\$5,000) San Joaquin County

Tucker was contacted regarding the EU Maintenance Yard Block Wall project amid concerns regarding the bid process. Tucker received project documents and noted no concerns regarding the process. Tucker noted two issues with the low bidders bid as one subcontractor listed had a suspended license and there appeared to be a mathematical error in their bid. It is unclear if any bidders will be submitting a protest.

Approximate Value: \$150,000

Status: Ongoing



Valley Springs Public Utility District MT160101 (CUCCAA-\$45,000) Calaveras County

Tucker was contacted regarding a water line repair project near the cross section of Highway 26 and Highway 12. Upon research, Tucker found the project had bid back in August 2015 and was awarded at the September 30, 2015 board meeting. Although the project has commenced, Tucker noted that the Agency did not properly advertise, did not require subcontractor licenses and there may be an issue with the contractor's license classification. Tucker is in the process of working with the Agency on these issues. Approximate Value: \$261,000

Status: Ongoing

City of Patterson MT160102 (CUCCAA-\$45,000) Stanislaus County

Tucker was contacted regarding an alleged illegal substitution/addition of a subcontractor on the City of Patterson Payment Drop Box project. The apparent low bid contractor did not possess the required B license nor did they specify a subcontractor to perform this portion of the work. Upon notification to the City, they indicated that the contractor already had a subcontractor lined up to perform the work. Tucker contacted the City Engineer and notified them of the Public Contract Code requirements that expressly exempt the addition of a subcontractor after the fact. She was told that the bids will be rejected and the project rebid.

Approximate Value: \$50,000

Status: Influenced/Resolved

City of Angels Camp MT160103 (CUCCAA-\$45,000) Calaveras County

Tucker was contacted regarding alleged bid irregularities on the Park Upgrades at Utica and Tryon Park Project. The City did not specify the requirement for subcontractors to be licensed and registered. An unlisted contractor bid the project and failed to list subcontractor license numbers. Tucker contacted the City, informed them of the violations and suggested rebidding the project. After their discussion, Tucker was thanked for catching the errors and was told that the City is aware that they need to update their specifications. This project was rejected at the February 16, 2016 City Council meeting and will be rebid. Approximate Value: \$150,000

Status: Influenced/Resolved

City of Roseville MT160104 (Charter-\$21,575) Placer County

Tucker was contacted regarding the procurement process used on the Placer Valley Sports Complex Project. The multi-use sports complex will consist of 10 all artificial turf long fields and be located at the southeast corner of Blue Oaks Boulevard and Phillip Road in Roseville. This is a public-private partnership project. The City of Roseville owns the 55 acres of land slated for the development and is leasing the property to the Placer Valley Tourism (a non-profit who is the marketing bureau for Roseville, Rocklin and Lincoln) who will own all improvements to the lot for 30 years, at which point the City would have an option to take ownership of the facility. Placer Valley Tourism, will take on bonds to borrow \$30 million to construct the fields. Roseville will contribute an additional \$5 million for the project. Per the City Charter, they are allowed to use the design-assist-build process.

Approximate Value: \$35 million

Status: Resolved

City of Tracy MT160105 (CUCCAA-\$45,000) San Joaquin County

Tucker was contacted regarding the Frank Hoyt Park Playground Project amid concerns regarding alleged bid irregularities. Tucker requested, received and reviewed project documents and noted only one issue. Subcontractor licenses were not requested via the project specifications so none of the contractors included this information. The Public Contract Code requires this piece of information for every subcontractor listed that will perform work over half of one percent. Tucker notified the City of the discrepancy and is waiting for their response.

Approximate Value: \$250,000

Status: Ongoing

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California Department of Corrections and Rehabilitation MT160106 (\$280,000) San Joaquin County
Tucker was contacted regarding the Deuel Vocational Institution (DVI) Health Care Facility Improvement Project in Tracy. Concerns arose as the project was bid with all bids being rejected, then informally rebid and awarded. Tucker requested project information and was told that the Director deemed it in the best interest of the State to reject the bids. No reason was given. Upon research, there appeared to be a discrepancy in the specifications. The project was rebid and only contractors who originally attended the mandatory prebid were allowed to bid. Proper procedures were followed in accordance with the State Contract Act.

Approximate Value: Unknown

Status: Resolved

NETWORKING/OTHER

Tucker was contacted by the Sonora Union High School District and asked to review a draft bid solicitation to provide feedback and suggestions.

While reviewing the Department of Industrial Relations website, Tucker noted no PWC 100's on Angels Camp public works projects so she forwarded the information to FFC for follow up.

Tucker attended the February 16, 2016 Angels Camp City Council meeting.

Tucker attended the February 9, 2016 Merced County Board of Supervisors meeting.

Tucker previously reported on the City of Patterson Payment Drop Box Project, Investigation City of Patterson MT160102. Bids were rejected due to Public Contract Code irregularities. After revising the scope of work, the City awarded a contract for the work. Tucker spoke to the Director of Engineering regarding the City's bid requirements and sent them information regarding the California Uniform Construction Cost Accounting Act.

Tucker noted an item on the Tracy City Council agenda to introduce an ordinance to amend sections of Tracy Municipal Code Chapter 2.20, Contracts and Purchasing, to provide for a local bidder preference for public projects with a cost of \$45,000 or less, to remove newspaper publication requirements for request for bids for general services, equipment and commodities, and to make minor changes to the bidding process to ensure compliance with the Code. No issues were noted upon review.

Tucker was contacted regarding a license classification question from the Yreka Union School District. There appeared to be some confusion, as no classification was noted for the work. Upon research and discussions with Tucker's network, it appeared that the scope of work may fall under several different categories. Tucker referred them to the Department of Industrial Relations.

Tucker met with Agents from Laborers, Local 1130 in Merced.

Tucker continues to maintain contact with her network, answer Public Contract Code questions and search for new bidding opportunities for the industry.

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