



Midpeninsula Regional  
Open Space District

## PROCUREMENT AGENDA ITEM

R-24-107  
Meeting 24-23  
August 28, 2024

## AGENDA ITEM 5

### AGENDA ITEM

Award of Contract for Conservation Grazing Water Development at Purisima Creek Redwoods and Tunitas Creek Open Space Preserves

### GENERAL MANAGER'S RECOMMENDATIONS

1. Award a contract to ECAST Engineering, Inc., of Oakland, California to develop water infrastructure on two (2) Grazing Units for a not-to-exceed base contract amount of \$307,785.
2. Authorize a 10% contingency in the amount of \$30,778 to be reserved for unanticipated issues, including weather-related constraints, difficult terrain, and access challenges, bringing the total not-to-exceed contract amount of \$338,563.

### DISCUSSION

The objective of this work is to improve water distribution on two (2) grazing units, which in turn improves the distribution of grazing cattle and better aligns with the Midpeninsula Regional Open Space District's (District) natural resource management goals. This work includes development of two springs, new storage tanks, pumps and pipelines. The tenants at both Grazing Units are supportive of the expanded water infrastructure. Due to the proximity of the sites to each other and similar construction activities, a single Request for Bids (RFB) was developed for efficiency and cost savings. This work supports both operating activities and Capital Improvement and Action Plan (CIAP) projects, and include:

- i. **Lobitos Water Project.** Development of water infrastructure serving the Elkus/Lobitos/South Cowell Grazing Unit in Purisima Creek Redwoods Open Space Preserve: development of one (1) spring; installation of six (6) 4,999-gallon HDPE water storage tanks; installation of solar pumps at two (2) sites; installation of six (6) concrete stock troughs; and installation of ~14,500 feet of 1.25-inch HDPE pipe. The proposed infrastructure will re-distribute cattle grazing onto the ridgeline of Elkus-Lobitos-South Cowell and reduce the time that cattle spend in the lowland areas along Purisima and Lobitos Creeks. The net effect will be increased grazing capacity on the Elkus-Lobitos-South Cowell Grazing Unit and greater protection of sensitive riparian areas. This work supports CIAP project MAA03-007 – Water Improvements at Lobitos Ranch.
- ii. **Toto Ranch spring development and water line extension.** Development of water

infrastructure at the Toto Ranch Grazing Unit in Tunitas Creek Open Space Preserve: 1) Site 1: development of one spring; installation of one (1) 4,999-gallon HDPE water storage tank; installation of one (1) concrete water trough; and installation of 1-inch HDPE pipe (not to exceed 200 feet). Site 2: extend water line by installing 1.25-inch HDPE pipe (~2,140 feet) and two (2) concrete stock troughs. The new infrastructure will improve cattle access to stock water and allow the District to more evenly distribute cattle grazing throughout the Toto Ranch Grazing Unit. Improving the grazing distribution will better achieve the District’s natural resource goals for Toto Ranch. This work is operational in nature and is not related to a CIAP project.

The contract work is anticipated to begin in September 2024, with an estimated construction duration of three months.

**BUDGET / FISCAL IMPACT**

**The current fiscal year budget contains:**

- sufficient funds.
- insufficient funds; the next quarterly budget update will include a reallocation of unspent funds from other project budgets to cover for this expenditure.
- insufficient funds; approval of this item requires a fiscal year budget augmentation.
- future fiscal year budgets will include additional funds to complete the contracted work.

**Measure AA**

- No, this contract is not part of a Measure AA project.
- Yes, this contract is part of a Measure AA project.

On June 14, 2023 (R-23-67), the Board reallocated \$6.4 million to Measure AA Portfolio #03, *Purisima Creek Redwoods — Purisima-to-the-Sea Trail, Watershed Protection and Conservation Grazing*, from other completed portfolios to reduce the funding gap to about \$1 million. During the FY25 budget development process, construction costs for MAA03-009 Purisima-to-the-Sea Parking escalated by \$3.4M. The cost estimate from FY24 was based on conceptual designs. As the project was further refined, the cost estimate increased. Project MAA03-013 Highway 35 Multi-Use Trail Crossing and Parking Implementation (a \$4.6M project) was also added to the Action Plan after project 31903 Hwy 35 Multi-use Trail Crossing and Parking Study was completed in FY24. Staff will continue to seek outside grant funds to fill the current \$9.2M funding gap to complete the projects listed below that are underway.

The following table outlines the Measure AA Portfolio #03 *Purisima Creek Redwoods — Purisima-to-the-Sea Trail, Watershed Protection and Conservation Grazing* allocation, costs-to-date, projected life-to-date project expenditures and projected portfolio balance remaining.

<b>MAA03 Purisima Creek Redwoods — Purisima-to-the-Sea Trail, Watershed Protection and Conservation Grazing</b>	<b>\$13,965,920</b>
Grant Income (through FY28):	\$342,832

Fund 40 Allocation:	\$450,000
<b>Total Portfolio Allocation:</b>	<b>\$14,758,752</b>
Projected Project Expenditures (life of project):	
03-001 Purisima Uplands Lot Line Adjustment and Property Transfer	(\$425,113)
03-002 Purisima Upland Site Clean up and Soil Remediation	(\$1,144,098)
03-003 Purisima Creek Fence Construction	(\$169,190)
03-004 Harkins Bridge Replacement	(\$516,917)
03-005 Purisima-to-the-Sea Trail and Parking Area - Phase I Feasibility Study	(\$609,818)
03-006 South Cowell Upland Land Conservation	(\$6,223,772)
03-007 Purisima-to-the-Sea Habitat Enhancement and Water Supply Improvement Plan	(\$276,000)
03-008 Rieser-Nelson Land Purchase	(\$16,715)
03-009 Purisima-to-the-Sea Parking	(\$8,081,108)
03-010 Purisima-to-the-Sea Trail	(\$1,161,518)
03-011 Lobitos Creek Fisheries Restoration	(\$677,641)
03-012 Purisima-to-the-Sea Comprehensive Use and Management Plan	(\$109,321)
03-013 Highway 35 Multi-Use Trail Crossing and Parking Implementation	(\$4,576,011)
<b>Total Portfolio Expenditures:</b>	<b>(\$23,987,222)</b>
<b>Portfolio Balance Remaining (Proposed):</b>	<b>(\$9,228,470)</b>

## PROCUREMENT PROCESS AND SELECTION

A Request for Bids (RFB) was issued on July 3, 2024 via BidSync. A legal notice was posted in the San Mateo County Times and a link to the solicitation was posted on the District website. Staff also directly contacted qualified firms about the RFB. One mandatory pre-bid site walk was held on July 18, 2024 with six (6) contractors in attendance.

The District publicly opened the bids on August 8, 2024 and received the following bids:

Bidder	Location	Total Base Bid	Engineer's Estimate (\$177,640)
Central Irrigation Inc.*	Merced, CA	\$275,000.00	+55%
ECAST Engineering Inc.	Oakland, CA	\$289,295.00 (\$307,785.00 as corrected)	+73%
Brigantino Dirt Works, LLC	Hollister, CA	\$349,021.95	+96%
Salinas Valley Barbwire	Carmel Valley, CA	\$420,000.00	+136%

\*Bid was disqualified as explained in the paragraph below.

Based on the bid opening, the District initially announced Central Irrigation, Inc., as the apparent low bidder. However, on August 9, 2024, after final review of the bids, the District issued a bid opening memorandum that determined that the bid submitted by Central Irrigation, Inc., must be disqualified for failure to submit the required bid security. Therefore, ECAST was determined to be the lowest responsive and responsible bidder.

The August 9th bid memo also provided the following information: “The bid proposal form submitted by ECAST contained a computation error in the extension of bid amounts for Line Item 1.7. Pursuant to Subsection t. of the Instructions to Bidders, Incorrect Totals, the corrected Total Base Bid amount is \$307,785.” On August 13, 2024, Erik Meyenberg of Salinas Valley Barb Wire submitted a protest of ECAST’s bid contending that it was nonresponsive because the bid calculation was changed after the opening of the bid and ECAST’s bid proposal form only listed one addendum dated July 25, 2024, and that District issued five addenda for the Project.

After the District’s careful review of ECAST’s bid proposal, the Assistant General Manager determined that it was responsive to the District’s call for bids. The method for correcting mathematical errors was applied uniformly to all bidders and therefore, no bidder obtained an unfair competitive advantage from its application. The bid addendum was not listed on BidSync/Periscope website as five separate addendums, just as documents under numbers 1-4. While there were five changes (document 3 included 2 changes) it could reasonably be interpreted as one addendum. Most importantly, ECAST included all the changes in their proposal. Moreover, while ECAST’s bid did contain errors or irregularities, they were minor and inconsequential and did not provide ECAST with a competitive advantage. Therefore, the District can waive them and accept the bid. Hence, the General Manager recommends awarding the contract to ECAST Engineering, Inc., as the lowest responsive and responsible bidder.

## **PRIOR BOARD ACTION SUPPORTING THE PROJECT**

**November 10, 2010:** Amendment of a Preliminary Use and Management Plans for Lobitos Ridge/Elkus Ranch Uplands; Incorporation of a Rangeland Management Plan, Approval of a Negative Declaration and Grazing Lease for Lobitos Ridge/Elkus Uplands ([R-10-99, meeting minutes](#)).

**February 26, 2020:** Amendment of a Preliminary Use and Management Plans for Toto Ranch; Incorporation of a Rangeland Management Plan, Approval of a Negative Declaration and Grazing Lease for Toto Ranch ([R-20-09, meeting minutes](#)).

## **PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

## **CEQA COMPLIANCE**

The proposed Water Development Project is consistent with the Initial Study / Mitigated Negative Declaration (IS/MND) prepared for the Open Space Maintenance and Restoration Program (Program) (SCH #2021080129) and in compliance with the California Environmental Quality Act (CEQA).

The District determines that the installation of water lines and associated infrastructure in support of Conservation Grazing is consistent with the activities and determinations established in the Program IS/MND for the *Open Space Maintenance and Restoration Program* and would not result in new or more severe significant environmental impacts, nor would the Project require additional mitigation measures.

**NEXT STEPS**

If approved, the General Manager will enter a contract with ECAST Engineering, Inc. Final contract signature is subject to meeting all District requirements, such as having all required insurance and bonding in place. Work is estimated to commence in September 2024 and be completed in approximately three months.

Responsible Department Head:  
Brandon Stewart, Land & Facilities

Prepared by/Contact person:  
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