



Midpeninsula Regional
Open Space District

PROCUREMENT AGENDA ITEM

R-24-108
Meeting 24-23
August 28, 2024

AGENDA ITEM 6

AGENDA ITEM

Award of Contract for Conservation Grazing Wildlife-friendly Livestock Fencing at Purisima Creek Redwoods, Cloverdale Ranch, Tunitas Creek, and Skyline Ridge Open Space Preserves

GENERAL MANAGER'S RECOMMENDATIONS

1. Award a contract to Hammer Fence & Construction Inc. of Tracy, California to construct wildlife-friendly fencing and three (3) corral replacements on five (5) Grazing Units for a not-to-exceed base contract amount of \$449,861.
2. Authorize a 10% contingency in the amount of \$44,986 to be reserved for unanticipated issues, bringing the total not-to-exceed contract amount to \$494,847~~6~~.

DISCUSSION

The objective of this work is to improve general ranch management and grazing distribution on five grazing units through conservation grazing wildlife-friendly fencing and corral replacement. Improvements to corrals for the shipping/receiving/processing of livestock and perimeter fence around grazing units are—at a minimum—required for the responsible management of livestock on a ranch. The construction of perimeter fencing at Big Dipper Grazing Unit and the replacement of corrals at Big Dipper, Gordon Ridge, and Butano Farms Grazing Units will ensure that the Midpeninsula Regional Open Space District (District) is meeting the infrastructure requirements. Cross fencing (i.e., fencing that is erected to create sub-pastures within a larger ranch) is a range management technique used to improve grazing distribution. The cross fencing proposed as part of this project on Tunitas Creek, Butano Farms, Gordon Ridge, and Bluebrush Canyon Grazing Units will allow the ability to more precisely manage the timing, duration, and intensity of grazing. Rotating cattle between new sub-pastures will more effectively meet the District's natural resource goals and objectives. In all cases, the existing grazing tenants are strongly supportive of the proposed infrastructure developments.

This work is being executed on five (5) grazing units. Due to the proximity of the sites to each other and similar nature of 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, including:

- 1) **Tunitas Creek Grazing Unit cross fence.** Construct ~1,100 feet of 5-wire, wildlife-friendly cross fence at Tunitas Creek Open Space Preserve. This work is operational in nature and not related to a CIAP project.

- 2) **Butano Farms Grazing Unit cross fence.** Construct ~360 feet of 5-wire, wildlife-friendly cross fence and a corral replacement at Cloverdale Ranch Open Space Preserve. This work is operating in nature and not related to a CIAP project.
- 3) **Gordon Ridge Grazing Unit cross fence.** Construct ~5,533 feet of 5-wire, wildlife-friendly cross fence and a corral replacement at Tunitas Creek Open Space Preserve This work supports CIAP project 61060 – Gordon Ridge Cross-Fence.
- 4) **Bluebrush Canyon Grazing Unit cross fence.** Construct ~2,080 feet of 5-wire, wildlife-friendly cross fence at Purisima Creek Redwoods Open Space Preserve. This work supports CIAP project 61059 – Blue Brush Canyon Cross-Fence.
- 5) **Big Dipper Grazing Unit perimeter fence.** Construct ~7,560 feet of 5-wire, wildlife-friendly perimeter fence and a corral replacement at Skyline Ridge Open Space Preserve. This work supports CIAP project 61058 – Big Dipper Boundary Fencing Project.

This work is anticipated to begin in September 2024, with an estimated construction duration of two to 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.

PROCUREMENT PROCESS AND SELECTION

A Request for Bids (RFB) was issued on July 8, 2024 via BidSync. Legal notices were 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 23, 2024 with six (6) contractors in attendance.

The District publicly opened the bids on August 14, 2024 and Hammer Fence & Construction Inc., of Tracy, California, was determined to be the lowest responsible and responsive bidder. Below is a list of all bids received:

Bidder	Location	Total Base Bid	Engineer's Estimate (\$450,000)
Hammer Fence & Construction Inc.	Tracy, CA	\$449,860.60	-0.03%
Erik Meyenberg dba Salinas Valley Barbwire	Carmel Valley, CA	\$585,000	+30%

On August 16, 2024, Erik Meyenberg (Salinas Valley) submitted a protest of Hammer Fence & Construction Inc.'s (Hammer) bid, contending that it was nonresponsive because it did not include a Certificate of Reported Compliance (CRC) from the California Air Resources Board (CARB).

After the District's careful review of Hammer's bid proposal, the Assistant General Manager determined that it was responsive to the District's call for bids. The RFB documents and addenda were inconsistent about when the CRC was due (i.e., at the time of bid or at the time of project award). Notwithstanding the inconsistency, CARB regulations only require that a CRC be obtained prior to contract award, not at the time of bid. Hammer's failure to include a CRC with its bid did not constitute an unfair competitive advantage. In response to the protest, Hammer provided a valid CRC. Therefore, the District rejected the protest.

PRIOR BOARD ACTION SUPPORTING THE PROJECT

October 24, 2007: Authorization to Amend the Use and Management Plan to Incorporate a Grazing Management Plan and to Solicit bids from Potential Grazing Tenants for the Skyline Ridge Open Space Preserve. ([R-07-107](#), [meeting minutes](#))

March 25, 2008: Amendment of the Preliminary Use and Management Plans for Tunitas Creek Open Space Preserve; Incorporation of a Grazing Management Plan, Approval of a Categorical Exemption and Grazing Lease for Tunitas Creek Grazing Unit. ([R-08-40](#), [meeting minutes](#))

August 22, 2012: Authorization to Amend the Preliminary Use and Management Plan for Bluebrush Canyon Addition to the Purisima Creek Redwoods Open Space Preserve to Incorporate a Rangeland Management Plan for the Bluebrush Canyon Grazing Unit, and Authorization to Approve a Grazing Lease for the Bluebrush Canyon Grazing Unit. ([R-12-80](#), [meeting minutes](#))

April 22, 2020: Proposed purchase of the POST Gordon Ridge Property as an addition to Tunitas Creek Open Space Preserve, located at 811 La Honda Road, San Gregorio in unincorporated San Mateo County. ([R-20-41](#), [meeting minutes](#))

December 10, 2022: Proposed phased purchase of the Peninsula Open Space Trust - Cloverdale Ranch Uplands properties, located along Cloverdale, Gazos Creek, Bean Hollow and Pescadero Roads and the Cabrillo Highway, in unincorporated San Mateo County, to create Cloverdale Ranch Open Space Preserve. ([R-22-140](#), [meeting minutes](#))

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The proposed project to replace existing corals and construct new Conservation Grazing wildlife-friendly livestock fencing as described herein is exempt in accordance with State CEQA Guidelines section 15302 (Replacement or Reconstruction) and section 15303 (New Construction).

NEXT STEPS

If approved, the General Manager will enter a contract with Hammer Fence & Construction 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 two to three months.

Responsible Department Head:
Brandon Stewart, Land & Facilities

Prepared by/Contact person:
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