



AGENDA ITEM NO.  
**C20**

# COUNTY OF HUMBOLDT

For the meeting of: July 10, 2018

Date: June 21, 2018

To: Board of Supervisors

From:  Thomas K. Mattson, Director of Public Works

Subject: Subcontractor Substitution Requests Regarding the Humboldt County Airport Rescue and Fire Fighting Facility Building Project

RECOMMENDATIONS:

That the Board of Supervisors:


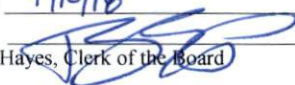
1. Receive and file the attached notices of subcontractor substitution requests submitted to Willis Rebar, McKeever Energy & Electric, Inc. and McMurray & Sons, Inc. as requested by the general contractor, Danco Builders Northwest, for the Humboldt County Airport Rescue and Fire Fighting Facility Building Project (Project No. 919280); and
2. Accept and grant Danco Builders Northwest's requests for the substitution of Willis Rebar, McKeever Energy and Electric, Inc. and McMurray & Sons, Inc. for cause in accordance with Section 4107 of the California Public Contract Code.

SOURCE OF FUNDING:

Aviation Capital Projects – Airport Improvement Program Grant 3-06-0010-046 and Aviation Division Passenger Facility Charges

DISCUSSION:

On October 17, 2017, the Board of Supervisors awarded the Humboldt County Airport Rescue and Fire Fighting Facility Building Project to Danco Builders Northwest as the lowest responsible and responsive bidder. The bid award also included the list of subcontractors submitted by Danco Builders Northwest at

Prepared by <u>Jake Johnson</u>	CAO Approval 
REVIEW:	
Auditor _____	County Counsel <u>Sm</u>
Personnel _____	Risk Manager _____
	Other _____
TYPE OF ITEM:	<b>BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT</b>
<input checked="" type="checkbox"/> Consent	Upon motion of Supervisor <u>Wilson</u> Seconded by Supervisor <u>Fennell</u>
<input type="checkbox"/> Departmental	Ayes <u>Bass, Fennell, Bohn, Wilson</u>
<input type="checkbox"/> Public Hearing	Nays _____
<input type="checkbox"/> Other _____	Abstain _____
PREVIOUS ACTION/REFERRAL:	Absent <u>Sundberg</u>
Board Order No. <u>C-28</u>	and carried by those members present, the Board hereby approves the recommended action contained in this Board report.
Meeting of: <u>10/17/2017</u>	Dated: <u>7/10/18</u>
	By: 
	Kathy Hayes, Clerk of the Board

bid opening. Three (3) of the listed subcontractors failed or refused to execute a contract to perform the work. As a result, Danco Builders Northwest submitted to the Humboldt County Department of Public Works written substitution requests to release:

1. Willis Rebar as the listed subcontractor for rebar work (Specification Section 03-20-00 – Concrete Reinforcement);
2. McKeever Energy & Electric, Inc. as the listed subcontractor for electrical work (Specification Division 26 – Electrical); and
3. McMurray & Sons, Inc. as the listed subcontractor for roof work (Specification Section 07-41-13 – Standing Seam Metal Roof Panels).

The Department of Public Works transmitted written notification of Danco Builders Northwest's substitution requests to Willis Rebar, McKeever Energy & Electric, Inc. and McMurray & Sons, Inc. on April 6, 2018 and May 10, 2018, respectively. Willis Rebar, McKeever Energy & Electric, Inc. and McMurray & Sons, Inc. did not file written objections to the proposed substitutions within five (5) business days after receiving notice thereof as required by the California Public Contract Code. Therefore, in accordance with Section 4107 of the California Public Contract Code, Danco Builders Northwest's substitution requests may be granted for cause at this time. Granting the substitutions will allow Danco Builders Northwest to contract with other subcontractors for the rebar, electrical and roof work necessary to complete the project.

#### FINANCIAL IMPACT:

Granting the subcontractor substitutions in question will not change the Project's scope of work or associated cost. The Anticipated costs for the project have been included in the proposed fiscal year 2018-2019 Aviation Capital Projects Budget. As a result, granting Danco Builders Northwest's subcontractor substitution requests will not impact the Humboldt County General Fund.

The recommended actions support the Board of Supervisors' Strategic Framework by providing for and maintaining county infrastructure to enhance the safety of aviation facilities.

#### OTHER AGENCY INVOLVEMENT:

Federal Aviation Administration

#### ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to grant the requested subcontractor substitutions, and direct staff to instruct Danco Builders Northwest to continue attempting to contract with the above-referenced subcontractors. However, this alternative is not recommended since it may result in an unnecessary delay in completing the Humboldt County Airport Rescue and Fire Fighting Facility Building Project.

#### ATTACHMENTS:

1. Request for Substitution of Willis Rebar and McKeever Energy & Electric, Inc. submitted to the Humboldt County Department of Public Works by Danco Builders Northwest on April 6, 2018.
2. Request for Substitution of McMurray & Sons, Inc. submitted to the Humboldt County Department of Public Works by Danco Builders Northwest on April 30, 2018.

3. Notice of Subcontractor Substitution Request submitted to Willis Rebar by the Humboldt County Department of Public Works on April 6, 2018.
4. Notice of Subcontractor Substitution Request submitted to McKeever Energy & Electric, Inc. by the Humboldt County Department of Public Works on April 6, 2018.
5. Notice of Subcontractor Substitution Request submitted to McMurray & Sons, Inc. by the Humboldt County Department of Public Works on May 10, 2018.

Danco Builders  
Danco Builders Northwest  
DT Builders  
Danco Communities  
Danco Property Management  
DT Builders  
Western Living Concepts

5251 Ericson Way  
Arcata, CA 95521  
Phone: (707) 822-9000  
Fax: (707) 822-9596  
[www.danco-group.com](http://www.danco-group.com)  
Contractor's Licenses  
CA 899392, 500851, 986583

Via Certified Mail

April 3, 2018

County of Humboldt Department of Public Works  
1106 Second Street  
Eureka, CA 95501

Project: Humboldt County Airport Rescue and Fire Fighting Facility – Phase IV  
FAA AIP Number: 03-06-0010-046  
County Number: 919280

Re: Contract/Release of Contract

Gentlemen

Below is a list of subs that have either requested to be terminated or we are in the process of termination of their contract for the above referenced project:

On August 1, 2017 McKeever Energy & Electric provided to Danco Builders Northwest a proposal for the Humboldt County Airport Rescue and Fire Fighting Facility that bid Tuesday August 1st 2017. At that time McKeever Energy & Electric was listed to complete Division 26 scope of work on our bid forms submitted to the County of Humboldt on bid day. As of today they have not signed a contract to do the proposed scope of work for the price submitted on August 1, 2017.

In the event that McKeever Energy & Electric opts to be released of their contract Danco Builders Northwest would like to substitute their Scope Section 2600 to be completed by Bob White Electric.


Bob White Electric  
Phone (707)-443-1511  
3375 Cindy Lane  
Eureka Ca 95501  
Lic# 857749

Attached is a letter from Willis Rebar dated January 26, 2018 requesting that they terminate their contract prior to the start of work. Danco Builders Northwest would like to substitute the scope section 032000 Concrete Reinforcement to be completed by Muse Concrete.

Muse Concrete  
Phone (530) 226-5151  
8599 Commercial Way  
Redding, CA 96002  
License # 423102

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chuck Barnhart", written over the word "Sincerely,".

Chuck Barnhart  
Project Manager

# DANCO

THE DANCO GROUP OF COMPANIES

Danco Builders  
Danco Builders Northwest  
DT Builders  
Danco Communities  
Danco Property Management  
DT Builders  
Western Living Concepts

5251 Ericson Way  
Arcata, CA 95521  
Phone: (707) 822-9000  
Fax: (707) 822-9596  
[www.danco-group.com](http://www.danco-group.com)  
Contractor's Licenses  
CA 899392, 500851, 986583

Via Certified Mail

April 30, 2018

County of Humboldt Department of Public Works  
1106 Second Street  
Eureka, CA 95501

Project: Humboldt County Airport Rescue and Fire Fighting Facility – Phase IV  
FAA AIP Number: 03-06-0010-046  
County Number: 919280

Re: Release of Contract

Gentlemen

Attached is a copy of a letter Dated April 3, 2018 that was sent certified mail to McMurray & Sons, Inc asking them to formally respond in order to be removed from the above referenced project. To date Mr. McMurray has declined to respond within the specified time frame as outlined in the letter therefore Danco Builders Northwest would like to formally request that McMurray & Sons, Inc be remove as a subcontractor and substitute the scope section Division 074113 Aluminum Metal Panel System with Sierra Single Ply Roofing.

Sierra Single Ply, Inc  
3951 Research Dr. Unit B  
Sacramento, CA 95838  
License 669427  
Phone 916-640-0123

Thank you for your cooperation in this matter.

Sincerely,

  
Kathy Yorks

Project Superintendent



DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707 / FAX 445-7409

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE 839-5401

	PUBLIC WORKS BUILDING SECOND & L ST., EUREKA		
ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	PARKS	445-7651
ENGINEERING	445-7377	ROADS & EQUIP MAINT.	445-7421
	ARCHITECT	445-7493	

CLARK COMPLEX  
HARRIS & H ST., EUREKA 445-7205

April 6, 2018

Via Certified Mail

Mr. Raymond Willis III  
Willis Rebar  
2333 Courage Dr., Suite H #9  
Fairfield, CA 94533


RE: Humboldt County Arcata/Eureka Airport, Airport Rescue and Firefighting Facility Building  
Construction  
Project No. 919280

SUBJECT: Notice of Subcontractor Substitution Request.

Dear Mr. Willis,

The General Contractor for the Project, Danco Builders Northwest, has submitted to the County a written substitution request for the release of your company as the listed subcontractor for Concrete Reinforcement (Rebar). Danco Builders Northwest has requested substitution for the reason that Willis Rebar has failed or refused to execute a contract to perform the work. As an attachment to Danco Builders Northwest's substitution request, there is also a letter signed and dated by you on January 26, 2018 indicating that you are agreeable to the release from the Project.

In accordance with the requirements of the Public Contract Code Section 4107, you are hereby notified in writing of the substitution request submitted by Danco Builders Northwest. Willis Rebar. has five (5) working days to submit any written objection to the substitution and failure to object will be considered as consent.

Sincerely,  
  
Thomas K. Mattson  
Humboldt County Public Works Director

Cc: Danco Builders Northwest  
File

U.S. Postal Service™  
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(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

FAIRFIELD, CA 94533

Postage	\$3.45	
Certified Fee	\$2.75	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$6.70	

0471 08  
EUREKA CA 95501  
APR 11 2018  
STAT

Sent To: Raymond Willis III Willis Rebar  
Street, Apt. No.: 2333 Courage Drive Suite H #9  
or PO Box No.

707 744 4101  
1150 0002 3411 4101



DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707 / FAX 445-7409

ARCATA-EUREKA AIRPORT TERMINAL  
MCKINLEYVILLE 839-5401

PUBLIC WORKS BUILDING  
SECOND & L ST., EUREKA

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	PARKS	445-7651
ENGINEERING	445-7377	ROADS & EQUIP MAINT	445-7421
ARCHITECT	445-7493		

CLARK COMPLEX  
HARRIS & H ST., EUREKA  
LAND USE 445-7205

April 6, 2018

Via Certified Mail

Mr. Nathan McKeever  
McKeever Energy & Electric Inc.  
5000 West End Rd. #4  
Arcata, CA 95521

RE: Humboldt County Arcata/Eureka Airport, Airport Rescue and Firefighting Facility Building  
Construction  
Project No. 919280

SUBJECT: Notice of Subcontractor Substitution Request.

Dear Mr. McKeever

The General Contractor for the Project, Danco Builders Northwest, has submitted to the County a written substitution request for the release of your company as the listed subcontractor for Electrical work, (Specification Division 26 scope). Danco Builders Northwest has requested substitution for the reason that McKeever Energy & Electric Inc. has failed or refused to execute a contract to perform the work.

In accordance with the requirements of the Public Contract Code Section 4107, you are hereby notified in writing of the substitution request submitted by Danco Builders Northwest. McKeever Energy & Electric Inc. has five (5) working days to submit any written objection to the substitution and failure to object will be considered as consent.

Sincerely,

Thomas K. Mattson  
Humboldt County Public Works Director

Cc: Danco Builders Northwest  
File

U.S. Postal Service™  
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ARCATA, CA 95521

Postage	\$3.45
Certified Fee	\$2.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$6.70

7011 1150 0002 3411 4098

04/11/2018

Postmark Here

DOWN TOWN STATION 10556 V.E. EUREKA, CA

Sent To  
Mr. Nathan McKeever, McKeever Energy & Elect.  
Street, Apt. No.,  
or PO Box No. 5000 West End Road #4  
City, State, ZIP+4  
Arcata CA 95521

PS Form 3800, August 2005 See Reverse for Instructions





DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
 AREA CODE 707 / FAX 445-7409

ARCATA-EUREKA AIRPORT TERMINAL  
 MCKINLEYVILLE  
 AVIATION 839-5401

PUBLIC WORKS BUILDING  
 SECOND & L ST., EUREKA

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
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ENGINEERING	445-7377	ROADS & EQUIP MAINT	445-7421
	ARCHITECT	445-7493	

CLARK COMPLEX  
 HARRIS & H ST., EUREKA  
 LAND USE 445-7205

May 10, 2018

Via Certified Mail

David McMurray  
 McMurray & Sons, Inc.  
 PO Box 1111  
 Eureka, CA 95502


RE: Humboldt County Arcata/Eureka Airport, Airport Rescue and Firefighting Facility Building  
 Construction  
 Project No. 919280

SUBJECT: Notice of Subcontractor Substitution Request.

Dear Mr. McMurray

The General Contractor for the Project reference above, Danco Builders Northwest, has submitted to the County a written substitution request for the release of your company as the listed subcontractor for Electrical work, (Specification Division 074113 scope). Danco Builders Northwest has requested substitution for the reason that McMurray & Sons Inc. has declined to execute a contract to perform the work.

In accordance with the requirements of the Public Contract Code Section 4107, you are hereby notified in writing of the substitution request submitted by Danco Builders Northwest. McMurray & Sons Inc. has five (5) working days to submit any written objection to the substitution and failure to object will be considered as consent.

Sincerely,  
  
 Thomas K. Mattson  
 Humboldt County Public Works Director

Cc: Danco Builders Northwest  
 File

7011 1150 0002 3411 4111

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For delivery information visit our website at [www.usps.com](http://www.usps.com).

EUREKA, CA 95502

Postage	\$3.45
Certified Fee	\$2.75
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
	\$0.50
<b>Total Postage &amp; Fees</b>	<b>\$6.70</b>

0471  
 DOWNTOWN STATION  
 EUREKA, CA  
 MAY 10 2018  
 05/10/2018 9:51 AM

Sent To: David McMurray, McMurray & Sons, Inc.  
 Street, Apt. No., or PO Box No.: PO Box 1111  
 City, State, ZIP+4: Eureka CA 95502

PS Form 3800, August 2008