



COMMUNITY DEVELOPMENT AGENCY

TRANSPORTATION DIVISION

<http://www.edcgov.us/DOT/>

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June 17, 2013

Board of Supervisors
330 Fair Lane
Placerville, CA 95667

**Agenda Title: 6/18/13 DOT Latrobe Road North of Ryan Ranch Road Project
Award of Bid, Legistar #13-0409**

Meeting Date: June 18, 2013

Dear Members of the Board:

Community Development Agency, Transportation Division (Transportation), recommending the following pertaining to the Latrobe Road North of Ryan Ranch Road Project, Contract No. PW 09-30467, CIP No. 73359, P&C No. 015-C1499:

- 1) Award the Construction Contract to Western Engineering Contractors, Inc., who submitted the lowest responsive, responsible bid of \$885,980;
- 2) Authorize the Chair to sign the Construction Contract, subject to review and approval of the final Contract Documents by County Counsel and Risk Management; and
- 3) Authorize the Acting Director, Community Development Agency to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds. (Est. Time: 5 Min.)

Reason for Recommendation

On Thursday, May 30, 2013, Transportation opened bids for the Project. Four bids were received ranging from \$885,980 to \$1,096,357.20. The Engineer's Estimate is \$1,083,523.

Award and Sign Construction Contract with Lowest Responsive, Responsible Bidder:

The Disadvantaged Business Enterprise (DBE) goal for the Project is 12%. Per the Contract Documents, if the top three bidders did not submit their DBE information with their bid, they were required to submit this information by 4:00 pm the fourth business day after the bid opening, which for this Project was June 5, 2013. Western Engineering Contractors, Inc. submitted its DBE Commitment form and Good Faith Efforts documentation on June 5. The DBE Commitment form shows that Western Engineering Contractors, Inc. has committed to a DBE goal of 6.7%. Transportation reviewed Western Engineering Contractors, Inc. DBE Commitment form submittal and finds that the firms listed are certified DBEs under the California Unified Certification Program and meet the criteria for a DBE; that Western Engineering Contractors, Inc. provided sufficient written confirmation from each DBE firm that each is participating in

the Contract; and, that Western Engineering Contractors, Inc. has demonstrated that it made a good faith effort to meet the contract goal.

Transportation issued the All Bidders Letter on Friday, June 7, 2013, notifying bidders of the recommendation to the Board for award and initiating the five-day bid protest period. The bid protest period ended on Friday, June 14, 2013, with no protests received.

Western Engineering Contractors, Inc. submitted the lowest bid in the amount of \$885,980. Transportation recommends award of the Construction Contract to Western Engineering Contractors, Inc. who submitted the lowest responsive, responsible bid.

Authorize Acting Director, Community Development Agency to Sign Escrow Agreement:
Pursuant to Special Provisions Section 5-1.09, "Payment of Withheld Funds," of the Contract Documents, Transportation will retain five percent (5%) of the value of work done from each Contractor payment (excluding mobilization payments) as security for the fulfillment of the Contract. Alternatively, Public Contract Code (PCC) Section 22300 provides that the Contractor may request that payment of retentions earned be made directly to an Escrow Agent. The Contractor will receive the interest earned on the investment.

In accordance with these provisions, the Contractor may request in writing that the County make payment of retention funds directly into an escrow account, which would necessitate an Escrow Agreement. To help expedite this process if requested by the Contractor, Transportation requests that the Board authorize the Acting Director, Community Development Agency to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the Acting Director, Community Development Agency, the Contractor will receive incremental releases from the Escrow Agent of retention paid into the account and any interest earned thereon. A portion of the retention and interest will be retained in the escrow account until thirty-five (35) days after the recordation of the Notice of Acceptance of the Contract at which time these funds will be released to the Contractor.

Action(s) to be taken following Board approval

1. Upon approval by County Counsel and Risk Management, Transportation will forward the Construction Contract, together with the required bonds and insurance, and the approved Contract Routing Sheet to the Clerk of the Board for the Chair's signature.
2. The Clerk of the Board will forward the fully executed Construction Contract to Transportation for further processing.

Sincerely,



Bard R. Lower, Director
Transportation Division
Community Development Agency