



# COMMUNITY DEVELOPMENT AGENCY

## TRANSPORTATION DIVISION

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

### PLACERVILLE OFFICES:

#### MAIN OFFICE:

2850 Fairlane Court, Placerville, CA 95667  
(530) 621-5900 / (530) 626-0387 Fax

#### CONSTRUCTION & MAINTENANCE:

2441 Headington Road, Placerville, CA 95667  
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### LAKE TAHOE OFFICES:

#### ENGINEERING:

924 B Emerald Bay Road, South Lake Tahoe, CA 96150  
(530) 573-7900 / (530) 541-7049 Fax

#### MAINTENANCE:

1121 Shakori Drive, South Lake Tahoe, CA 96150  
(530) 573-3180 / (530) 577-8402 Fax

May 27, 2015

Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

**Agenda Title: 6/2/2015 Transportation Montgomery Estates Area 3 Erosion Control Project Award of Bid, Legistar #15-0105**

**Meeting Date: June 2, 2015**

Dear Members of the Board:

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Montgomery Estates Area 3 Erosion Control Project Contract No. PW 14-31077, CIP No. 95172, P&C No. 383-C1599:

- 1) Award the Construction Contract to V&C Construction, Inc., who submitted the lowest responsive, responsible bid of \$202,320.10;
- 2) Approve and 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 Community Development Agency Director 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.

### **Discussion/Background**

On April 28, 2015, the Board adopted and approved the Plans and Specifications and authorized advertisement for construction bids for the Montgomery Estates Area 3 Erosion Control Project (Project) with the bid opening occurring on May 14, 2015.

### **Department Recommendation**

On Thursday, May 14, 2015, the Community Development Agency, Transportation Division (Transportation) opened bids for the Project. Five bids were received ranging from \$202,320.10 to \$287,565.90. The Engineers Estimate for this Project is \$246,201.25.

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

Transportation issued the All Bidders Letter on Tuesday, May 19, 2015, notifying bidders of the recommendation to the Board for award and initiating the five-day bid protest period. The bid protest period ended at 5:00 p.m. on Tuesday, May 26, 2015, with no protests filed.

V&C Construction, Inc. (V&C) submitted the lowest bid in the amount of \$202,320.10. Transportation recommends award of the Construction Contract to V&C who submitted the lowest responsive, responsible bid.

The estimate for the construction phase of the Project is \$278,315.10, which includes a bid of \$202,320.10; supplemental items of work totaling \$9,800; construction management, surveying, materials testing, and design support during construction totaling approximately \$45,963; and a contingency of \$20,232.

Authorize Community Development Agency Director to Sign Escrow Agreement:

Pursuant to Special Provisions Section 9-1.16F, "Retentions," 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 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 CDA Director to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the CDA Director, the Contractor will receive incremental releases from the Escrow Agent 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, upon written notification from the CDA Director, these funds will be released to the Contractor.

Contract Change Orders (CCOs):

In any contract there is a need to be able to make changes and the CCO process facilitates the ability to make necessary changes when needed within a contract.

Supplemental CCOs:

Certain types of work are necessary to complete the Project which cannot be estimated accurately because they require a variable effort to complete. These items are referred to as Supplemental items and are identified in the Contract Documents as CCO work to be performed and paid for on a time and material basis, using Caltrans standard force

account billing procedures. The work is authorized by issuance of a CCO, which also encumbers the funds anticipated to be needed for each of the planned supplemental items of work and is billed against as the work progresses. The amount of each CCO is based on an evaluation by Transportation staff of the Project components, area, and time frame. Supplemental items in this contract include Rock Excavation estimated at \$4,800.00 and Remove Unsuitable Material estimated at \$5,000.00, totaling \$9,800.00. Because this work is anticipated and budgeted for separately, supplemental CCOs are not included in the 10% cap normally associated with contingency CCOs.

Contingency CCOs:

With construction contracts, there is an expectation that unanticipated changes will be encountered once construction begins. To prepare for this, a 10% contingency budget is set aside. The budget for contingencies on this contract is \$20,232. PCC Section 20142 and Resolution 102-2012 authorize the CDA Director to execute individual CCOs, the maximum value of which is based on the original contract amount with a not-to-exceed limit. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original contract value.

**Clerk of the Board Follow Up Actions**

- 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,

*For*   
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Bard R. Lower  
Transportation Division Director  
Community Development Agency



COUNTY OF EL DORADO  
COMMUNITY DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION

INTEROFFICE MEMORANDUM

Date: May 1, 2015  
To: Steve Pedretti, CDA Director  
From: Bard Lower, CDA Transportation Division Director  
Subject: Delegation of Authority

I will be out of the office on vacation starting on Monday, May 18, 2015 and returning on Monday, June 8, 2015.

During my absence, I am delegating my signature authority to Matt Smeltzer, Deputy Director, Fairlane Engineering, from Monday, May 25, 2015 through Sunday, May 31, 2015. Throughout my entire time away, Matt Smeltzer will have the authority to approval all Legistar items on my behalf.

A handwritten signature in cursive script that reads "Bard Lower".

Bard Lower, Director of CDA Transportation Division

A handwritten signature in cursive script that reads "Matt Smeltzer".

Matt Smeltzer, Deputy Director, Fairlane Engineering

cc Pamela Knorr, CAO  
Joe Harn, Auditor/Controller  
Kate Sampson, Assistant Director Admin/Finance  
Don Spear, Deputy Director, Maintenance & Operations  
Andrew Gaber, Deputy Director, DRE  
John Kahling, Deputy Director, Headington Engineering  
Matt Smeltzer, Deputy Director, Fairlane Engineering  
Ruth Young, Chief Fiscal Officer  
Laura Friestad, Supervising Accountant Auditor, Admin/Finance  
Melanie Young, Auditor/Controller's Office

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