



COMMUNITY DEVELOPMENT AGENCY

TRANSPORTATION DIVISION

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June 24, 2016

Board of Supervisors
330 Fair Lane
Placerville, CA 95667

**Agenda Title: Patterson Drive and Missouri Flat Road Overlays Project
Award of Bid, Legistar #16-0348**

Meeting Date: June 28, 2016

Dear Members of the Board:

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Patterson Drive and Missouri Flat Road Overlays Project Contract 16-31119, CIP 72190, P&C 356-C1699:

- 1) Award the Construction Contract to Delta Construction Company, Inc., who submitted the lowest responsive, responsible, bid of \$766,000.00;
- 2) Approve and authorize the Chair to sign the Construction Contract, subject to final review and approval 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.

Funding

Local Tribe Funds (97.4%), EID Reimbursement (2.6%). (No Federal Funds)

The estimate for the construction phase of the Patterson Drive and Missouri Flat Road Overlays Project (Project) is \$999,630.00, which includes a bid of \$766,000.00; supplemental items of work totaling \$42,130.00; construction management, surveying, materials testing, and design support during construction totaling approximately \$114,900.00; and a contingency of \$76,600.00.

Department Recommendation

On June 15, 2016, the Community Development Agency, Transportation Division (Transportation) opened bids for the Project. Three bids were received ranging from \$766,000.00 to \$950,000.00.

The Project is included in Transportation's 2015 Capital Improvement Program (CIP) with a Direct Construction Costs budget of \$975,000.00 and a Construction/Engineering and Admin budget of \$116,000.00 for a total construction budget of \$1,091,000.

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

Transportation issued the All Bidders Letter on Thursday, June 16, 2016, notifying bidders of the recommendation to the Board for award and initiating the five-day bid protest period. The bid protest period ended at 4:00 p.m. on Thursday, June 23, 2016 with no protests filed.

Delta Construction Company, Inc. (Delta) submitted the lowest responsive, responsible bid in the amount of \$766,000.00. Transportation recommends award of the Construction Contract to Delta who submitted the lowest responsive, responsible bid.

Authorize Community Development Agency Director to Sign Escrow Agreement:

Pursuant to Special Provisions Section 9-1.16F, "Retentions", of the Special Provisions, 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 Community Development Agency Director to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the Community Development Agency Director, 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. After this time, upon written notification from the Community Development Agency 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 California Department of Transportation's (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 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 Traffic Control, Hazardous Waste, and Additional Repairs to the Structural Section totaling \$42,130.00. This work is anticipated and budgeted for separately. Therefore, supplemental CCOs are not included in the 10% cap normally associated with contingency CCOs.

Contingency CCOs:

In construction contracts there is 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 \$76,600.00. PCC Section 20142 and Resolution 102-2012 authorize the Community Development Agency Director to execute individual CCOs, the maximum value of which is based on the original Contract amount with a not-to-exceed limit of \$50,800.00 for this Contract. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original Contract value.

Discussion / Background

The proposed Project consists of grinding, insertion of a geosynthetic pavement interlayer, paving and striping on Patterson Drive and the southerly end of Missouri Flat Road, as well as signal system improvements at the Missouri Flat Road/State Route 49 (SR 49) intersection. Due to high daytime traffic volumes, all work on Missouri Flat Road will be performed at night.

The Contract also includes raising ten (10) water valves and twenty-six (26) sewer manholes to grade following the completion of the paving work. El Dorado Irrigation District (EID) will reimburse the County for all costs associated with this work per the terms of the Master Agreement between EID and the County. The Engineer's Estimate for the EID work is \$33,000.

All required environmental approvals have been obtained for the Project. Due to no federal funding, only California Environmental Quality Act (CEQA) compliance is required. A Notice of Exemption for CEQA was filed on January 21, 2016. Due to the nature of the Project, no environmental permits are required.

No right-of-way acquisitions are required for this Project. All right-of-way for this Project is within existing County or Caltrans' right-of-way. A Caltrans Standard Encroachment Permit Application has been received for this Project.

On May 17, 2016 (Item 26), the Board adopted and approved the Contract Documents and authorized advertisement for construction bids for the Project.

Clerk of the Board Follow Up Actions

- 1) Upon approval by County Counsel and Risk Management, Transportation will forward two (2) originals of the Construction Contract, together with the required bonds and insurance, and the approved Contract Routing Sheet to the Clerk for the Chair's signature.
- 2) The Clerk will forward one (1) fully executed Construction Contract to John Kahling, CDA Transportation, Headington Engineering, for further processing.

Sincerely,



Bard R. Lower
Transportation Division Director
Community Development Agency