



# COMMUNITY DEVELOPMENT AGENCY

## TRANSPORTATION DIVISION

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

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August 24, 2015

Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

**Agenda Title: 8/25/2015 Bass Lake Road Overlay Project  
Award of Bid, Legistar #15-0766**

**Meeting Date: August 25, 2015**

Dear Members of the Board:

Community Development Agency, Transportation Division, is recommending the following pertaining to the Bass Lake Road Overlay Project, Contract No. PW 15-31094, CIP No. 72189, P&C No. 028-C1699:

- 1) Award the Construction Contract to Granite Construction, Inc., who submitted the lowest responsive, responsible bid of \$586,430.00;
- 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.

### **Funding**

Funding for the Project will be provided by Regional Surface Transportation Program Federal Funds – Urban (URSTP) – SACOG Obligated (100%). (Federal Funds)

The estimate for the construction phase of the Bass Lake Road Overlay Project (Project) is \$803,716.00, which includes a bid of \$586,430.00; supplemental items of work totaling \$58,643.00; construction management, surveying, materials testing, and design support during construction totaling approximately \$100,000.00; and a contingency of \$58,643.00.

### **Department Recommendation**

On August 8, 2015, the Community Development Agency, Transportation Division (Transportation) opened bids for the Project. Four bids were received ranging from \$586,430.00 to \$726,155.00.

The Project is included in Transportation's 2015 Capital Improvement Program (CIP) with a construction phase budget of \$840,000.00.

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

The Disadvantaged Business Enterprise (DBE) goal for the Project is 10%. 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 p.m. on the fourth business day after the bid opening, which for this Project was August 12, 2015. Granite Construction Company (Granite) submitted their DBE Commitment form on August 7, 2015. Clarifications were requested by Transportation to account for the cost breakdown of the quotes for the DBE Contractors' work on the DBE Commitment form submitted. Granite submitted their clarifications on August 14, 2015. The DBE Commitment form shows that Granite has committed to a DBE goal of 14.1%. Transportation has reviewed Granite's 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 Granite provided sufficient written confirmation from each DBE firm that each is participating in the Contract; and, that Granite has committed to exceeding the Contract DBE goal.

Transportation issued the All Bidders Letter on Friday, August 14, 2015, notifying Bidders of the recommendation to the Board for award to Granite and initiating the five-day bid protest period. The bid protest period ended at 4:00 p.m. on Friday, August 21, 2015, with no protests filed.

Granite submitted the lowest bid in the amount of \$586,430.00. Transportation recommends award of the Construction Contract to Granite 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 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 Maintain Traffic and Unsuitable Material for an estimated total of \$58,643.00. 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 \$58,643.00. 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 \$54,321.50 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 Project consists of minor road rehabilitation placing approximately two miles of hot mix asphalt on Bass Lake Road from Old Sienna Ridge Road to Parkdale Lane.

All required environmental approvals have been obtained for the Project. A Notice of determination for California Environmental Quality Act was filed on April 21, 2015. A California Department of Transportation (Caltrans) National Environmental Quality Act Categorical Exclusion Determination was completed May 1, 2015. Due to the nature of the Project, no environmental permits or right of way are required.

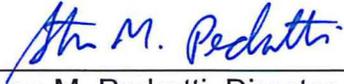
On July 14, 2015, the Board adopted and approved the Plans and Specifications and authorized advertisement for construction bids for the Project with an August 6, 2015 bid opening.

### **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 for the Chair's signature.

2) The Clerk will forward the fully executed Construction Contract to Transportation for further processing.

Sincerely,



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Steven M. Pedretti, Director  
Community Development Agency