



COMMUNITY DEVELOPMENT AGENCY

TRANSPORTATION DIVISION

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January 9, 2014

Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Agenda Title: 1/14/14 DOT Mount Aukum Road at North Fork Cosumnes River Bridge Maintenance Project Award of Bid, Legistar #13-1224

Meeting Date: January 14, 2014

Dear Members of the Board:

Community Development Agency, Transportation Division (Transportation), recommending the following pertaining to the Mount Aukum Road at North Fork Cosumnes River - Bridge Maintenance Project, Contract No. PW 13-30677, CIP No. 77130, P&C No. 162-C1499:

- 1) Award the Construction Contract to Bugler Construction, who submitted the lowest responsive, responsible bid of \$314,982.80;
- 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 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. (Est. Time: 5 Min.)

Reason for Recommendation

On Friday, December 20, 2013, the Community Development Agency - Transportation Division (Transportation) opened bids for the Mount Aukum Road at North Fork Cosumnes River - Bridge Maintenance Project (Project). Five bids were received ranging from \$314,982.80 to \$604,416.00.

The Engineer's Estimate for the construction phase of Project is \$437,479, which includes an estimated bid of \$307,759; force account work at \$21,789; supplemental items of work totaling \$8,155; construction management for both the force account work and the contracted construction work; survey, materials testing and design support during construction totaling \$69,000; and contingency at \$30,776. Funding for this Project will be provided by Highway Bridge Program (HBP), Federal Funds, and Regional Surface Transportation Program (RSTP) Rural Exchange Funds.

The 2013 Capital Improvement Program (CIP) includes a total of \$419,000 budgeted for construction phase work. The construction phase total exceeds the budgeted amount

by \$25,703. Transportation will obtain additional funding from the HBP. The local match associated with the estimated additional funding is approximately \$2,950, which will be funded with RSTP Rural Exchange Funds.

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

The Disadvantaged Business Enterprise (DBE) goal for the Project is 3%. 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 December 30, 2013. Bugler Construction submitted its DBE Commitment form and Good Faith Efforts documentation on December 26, 2013. The DBE Commitment form shows that Bugler Construction has committed to a DBE goal of 8.67%. Transportation reviewed Bugler Construction'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 Bugler Construction provided sufficient written confirmation from each DBE firm that each is participating in the Contract; and, that Bugler Construction has committed to exceeding the contract goal.

Transportation issued the All Bidders Letter on Thursday, January 2, 2014, notifying bidders of the recommendation to the Board for award and initiating the five-day bid protest period. The bid protest period ended on Thursday, January 9, 2014, with no protests received.

Bugler Construction submitted the lowest bid in the amount of \$314,982.80. Transportation recommends award of the Construction Contract to Bugler Construction who submitted the lowest responsive, responsible bid.

Authorize Acting Director, Community Development Agency to Sign Escrow Agreement:

Pursuant to Special Provisions Section 5-1.08, "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.

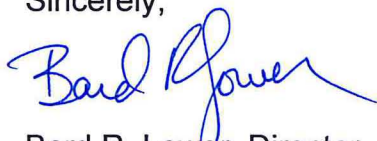
In accordance with these provisions, the Contractor may request in writing that the County make payment of retention funds directly into an escrow account, which would necessitate an Escrow Agreement. To help expedite this process if requested by the Contractor, Transportation requests that the Board authorize the Acting Community Development Agency Director to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the Acting 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 days after the recordation of the Notice of Acceptance of the

Contract at which time, upon written notification from the Acting Community Development Agency Director, 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