



# 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  
(530) 642-4909 / (530) 642-0508 Fax

### 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

August 11, 2014

Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

**Agenda Title: 08/12/14 CDA/TD Request to Award – CSA 5 Upper Area  
Erosion Control Project, Legistar #14-0681**

**Meeting Date: August 12, 2014**

Dear Members of the Board:

Community Development Agency, Transportation Division, recommending the following pertaining to the CSA 5 Upper Area Erosion Control Project, Contract No. PW 13-30701, CIP No. 95196, P&C No. 057-C1599:

- 1) Award the Construction Contract to Thomas Haen Company, Inc. who submitted the lowest responsive, responsible bid of \$186,000;
- 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. (Est. Time: 5 Min.) (Refer 07/15/14, Item 28)

### **Reason for Recommendation**

On Friday August 1, 2014, the Community Development Agency, Transportation Division (Transportation) opened bids for the CSA 5 Upper Area Erosion Control Project (Project). Two (2) bids were received ranging from \$186,000 to \$194,491. The Engineer's Estimate is \$173,131.00

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

Following Transportation's review of the bids, Transportation issued the All Bidders Letter on Friday, August 1, 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 Friday, August 8, 2014, with no protests received.

Thomas Haen Company, Inc. submitted the lowest bid in the amount of \$186,000.00. Transportation recommends award of the Construction Contract to Thomas Haen Company, Inc. who submitted the lowest responsive, responsible bid.

Authorize Director Community Development Agency to Sign Escrow Agreement:

Pursuant to Special Provisions Section 5-1.19, "Payments," 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.

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 Director of the Community Development Agency to execute the Escrow Agreement. Upon substantial completion as determined by the Engineer and upon written notification from the Director of the Community Development Agency, half of all retentions withheld and interest accrued may be released to the Contractor by the Escrow Agent. Thirty-five days after the recordation of the Notice of Acceptance and upon written notification from the Director of the Community Development Agency, the Contractor will receive from the Escrow Agent the remaining retention paid into the account and any interest earned thereon.

**Actions to be taken by Transportation 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.

**Clerk of the Board Follow Up Actions**

1. The Clerk of the Board will forward the fully executed Construction Contract to Transportation for further processing.

Sincerely,



Bard R. Lower, Transportation Division Director  
Community Development Agency