



COMMUNITY DEVELOPMENT SERVICES

DEPARTMENT OF TRANSPORTATION

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September 20, 2017

Board of Supervisors
330 Fair Lane
Placerville, CA 95667

**Agenda Title: Award Construction Contracts for Multiple 2017 Emergency Projects
West Slope/East Slope, Item 17-0300**

Meeting Date: September 26, 2017

Dear Members of the Board:

Community Development Services (CDS), Department of Transportation (Transportation) is providing this memorandum to impart additional information regarding the award of construction contracts for the 2017 Fort Jim Road Sinkhole Project, Contract PW 17-31167, CIP 78702 (Fort Jim Project); the Fallen Leaf/ Tahoe Mountain Road Storm Damage Project Contract PW 17-31189, CIP 78729/48935 (Fallen Leaf Project); and the 2017 Lake Tahoe Boulevard - Road & Shoulder Damage/2017 South Upper Truckee Washout Project, Contract PW 17-31182, CIP 48925/48921 (LTB Project).

Fort Jim Project

The Fort Jim Project consists of drainage and roadway improvements to repair a failed 9-foot diameter structural steel plate pipe and sinkhole on the roadway that include: removal of existing 9-foot structural steel plate pipe, removal of a conflicting 12-inch plastic pipe and placement of an 18-inch reinforced concrete pipe, installation of a precast concrete bridge system, rock slope protection, roadway excavation, import borrow, placement of a new structural section, paving and striping work, and installation of erosion control including rolled erosion control product. The roadway will be closed for the duration of the Project.

The Disadvantaged Business Enterprise (DBE) goal for the Fort Jim Project is five percent (5%). Trinity submitted its DBE information with its bid and showed it would exceed the DBE goal with seven percent committed. Transportation has reviewed Trinity'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 Trinity provided sufficient written confirmation from each DBE firm that each is participating in the Contract; and, that Trinity has committed to exceeding the Contract DBE goal.

Transportation issued the All Bidders Letter on Friday, September 15, 2017, notifying the bidders of the recommendation to the Board for award and initiating the two-day bid protest period. No bid protest is anticipated.

A California Environmental Quality Act (CEQA) Notice of Exemption was filed on May 17, 2017. Transportation is working with the Federal Emergency Management Agency (FEMA) to receive the National Environmental Policy Act (NEPA) determination for the Project.

Transportation is working with the United States Army Corps of Engineers (USACOE) to obtain all required environmental permits. Construction will not begin until all required permits are executed.

In order to construct the improvements, Transportation will close Fort Jim Road for 42 consecutive days. A Special Event Permit for the road closure is in process. Transportation will not begin construction until the Special Event Permit is executed.

Contingency CCOs

With construction contracts, there is an expectation that unanticipated changes will be encountered once construction begins. To prepare for this, a ten percent (10%) contingency budget is set aside. The budget for contingencies on this Contract based on low bid is \$112,625.28. PCC Section 20142 and County Resolution 102-2012 authorize the CDS Transportation Director to execute individual CCOs, the maximum value of which is based on the original contract amount with a not-to-exceed limit of \$68,812.64 for this Contract. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original Contract value.

Fallen Leaf Project

The Fallen Leaf Project consists of roadway and drainage improvements to repair failed roadway sections and failed drainages on Fallen Leaf Road and Tahoe Mountain Road that includes: pulverization and compaction of existing HMA road and replace with 3" HMA (Type A) overlay of damaged roadway, Class 2 AB for roadway reconstruction and shoulder backing, removal of existing culverts and replacements with plastic pipes, slurry backfill of pipe crossings, and re-establishment of existing drainage ditches. Temporary traffic controls will be used throughout the duration of the project.

The DBE goal for the Project is 9%. MKD submitted its DBE information with its bid and showed it would exceed the DBE goal with 18.94% committed. Transportation has reviewed MKD'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 MKD provided sufficient written confirmation from each DBE firm that each is participating in the Contract; and, that MKD has committed to exceeding the Contract DBE goal.

Transportation issued the All Bidders Letter on Thursday, September 21, 2017, notifying the bidder of the recommendation to the Board for award and initiating the two-day bid protest period.

A CEQA Notice of Exemption was filed on May 17, 2017 (Fallen Leaf) and July 26, 2017 (Tahoe Mountain). Transportation is working with FEMA to receive the NEPA determination for this Project.

Transportation is working with the USACOE, Tahoe Regional Planning Agency and Lahontan Regional Water Quality Control Board to obtain all required environmental permits. Construction will not begin until all required permits are executed.

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 based on low bid is \$61,678.00. PCC Section 20142 and Resolution 102-2012 authorize the CDS Director to execute individual CCOs, the maximum value of which is based on the original contract amount with a not-to-exceed limit of \$43,339.00 for this Contract. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original Contract value.

LTB Project:

The LTB Project consists of roadway and drainage improvements to repair failed roadway sections and failed drainages that includes: rock slope protection, minor concrete, hot mix asphalt (HMA) (Type A), Class 2 aggregate base for roadway and shoulder backing, removal of an existing culvert and replacement and re-establishment of existing drainage ditches.

The DBE goal for the Project is 9%. West Coast submitted its DBE information with its bid and showed it would exceed the DBE goal with 10.78% committed. Transportation has reviewed West Coast'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 West Coast provided sufficient written confirmation from each DBE firm that each is participating in the Contract; and, that West Coast has committed to exceeding the Contract DBE goal.

Transportation issued the All Bidders Letter on Thursday, September 21, 2017, notifying the bidder of the recommendation to the Board for award and initiating the two-day bid protest period. No bid protest is anticipated.

A CEQA Notice of Exemption was filed on March 27, 2017, and the California Department of Transportation (Caltrans), as the lead agency, filed and signed the NEPA determination for this Project on July 19, 2017.

Transportation has received confirmation that no permit is required from the USACOE. Transportation received the Tahoe Regional Planning Agency permit and is still working with the Lahontan Regional Water Quality Control Board to obtain all required environmental permits. Construction will not begin until all required permits are executed. No special use agreements are required for this project as all work will be completed within County owned right-of-way.

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 based on low bid is \$42,003.30. PCC Section 20142 and Resolution 102-2012 authorize the CDS Director to execute individual CCOs, the maximum value of which is based on the original contract amount with a not-to-exceed limit of \$46,001.65 for this Contract. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original Contract value.

Authorize the CDS Transportation Director to Sign Escrow Agreement (All Projects):

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

Please feel free to contact me at extension 4974 if you have any questions.

Sincerely,



John Kahling, Deputy Director
Department of Transportation
Community Development Services