

**END CONSENT CALENDAR****DEPARTMENT MATTERS**

24. [10-0764](#) Department of Transportation recommending the Board consider the following pertaining to the Silva Valley Parkway Widening South of Entrada Drive Project, Contract No. PW 09-30472/CIP No. 72370:
- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for September 10, 2010;
  - 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 Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project. (Est. Time: 5 Min.) (Cont'd 9/28/10, Item 25)

**FUNDING:** State and Local Partnership Program Grant Funds, Blackstone Pre-Paid Account.

*NO PUBLIC COMMENT*

**Noted by Supervisor Knight: The Board has received a letter from MJM Properties, LLC, dated August 26, 2010, referring to discussions between MJM and Department of Transportation regarding possible changes to project conditions. Those potential changes would be considered by the Board on their own merits if brought forward. The Board is not approving those changes, nor indicating they will be approved, as a result of the developer's stated agreement with the use of a portion of the prepaid Traffic Impact Mitigation fees as the local match on these projects. The Board reserves its position that the use of the prepaid Traffic Impact Mitigation fees for any Zone 8 Capital Improvement Program project is unrestricted.**

A motion was made by Supervisor Knight, seconded by Supervisor Nutting, as follows:

- 1) Award the Construction Contract to DeSilva Gates Construction, L.P. who submitted the lowest responsive, responsible bid of \$567,567.00;
- 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 Director of Transportation to execute Contract Change Orders with an individual value up to \$40,878, consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project.

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago

25. [10-0765](#)

Department of Transportation recommending the Board consider the following pertaining to the White Rock Road Widening and Signalization Project, Contract No. PW 09-30493/CIP No. 72372:

- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for September 10, 2010;
- 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;
- 3) Authorize the Director of Transportation 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; and
- 4) Authorize the Director of Transportation to execute Contract Change Orders consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project. (Est. Time: 5 Min.) (Cont'd 9/28/10, Item 26)

**FUNDING:** State and Local Partnership Program Grant Funds, Blackstone Pre-Paid Account.

**Noted by Supervisor Knight: The Board has received a letter from MJM Properties, LLC, dated August 26, 2010, referring to discussions between MJM and Department of Transportation regarding possible changes to project conditions. Those potential changes would be considered by the Board on their own merits if brought forward. The Board is not approving those changes, nor indicating they will be approved, as a result of the developer's stated agreement with the use of a portion of the prepaid Traffic Impact Mitigation fees as the local match on these projects. The Board reserves its position that the use of the prepaid Traffic Impact Mitigation fees for any Zone 8 Capital Improvement Program project is unrestricted.**

A motion was made by Supervisor Knight, seconded by Supervisor Nutting, as follows:

- 1) Award the Construction Contract to Granite Construction Company who submitted the lowest responsive, responsible bid of \$358,358.00;
- 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;
- 3) Authorize the Director of Transportation 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; and,
- 4) Authorize the Director of Transportation to execute Contract Change Orders with an individual value up to \$30,418, consistent with the Public Contract Code limits, provided the cumulative total of all Contract Change Orders is within the contingency budget established for the Project.

**Yes:** 5 - Knight, Nutting, Sweeney, Briggs and Santiago