



# COMMUNITY DEVELOPMENT AGENCY

## TRANSPORTATION DIVISION

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March 24, 2017

Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

**Agenda Title: 2017 Mt. Aukum Rd. Sinkhole Project , Award of Bid, Legistar #16-0485**

**Meeting Date: March 28, 2017**

Dear Members of the Board:

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the 2017 Mt. Aukum Rd. Sinkhole Project, Contract No. PW 17-31155, CIP No. 78713, P&C No. 443-C1799:

- 1) Award the Construction Contract to Lamon Construction Co., Inc., who submitted the lowest responsive, responsible, bid of \$469,032.78;
- 2) Approve and authorize the Chair to sign the Construction Contract, subject to final review and approval 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**

Road Fund (100% - Local), with the potential for reimbursement from the Federal Highway Administration (88.53% - Federal) and California Disaster Assistance Act (8.6% - State) (Federal Funds)

The Community Development Agency (CDA), Transportation Division (Transportation) has received approval from FHWA to move forward with this Project prior to the E-76. FHWA authorized permanent restoration work under emergency opening procedures for this Project.

The Estimate for the construction phase of the Project is \$586,290.98, which includes a bid of \$469,032.78; construction management, survey, materials testing and design support during construction totaling \$70,354.92; with contingency of \$46,903.28.

### **Department Recommendation**

On March 20, 2017, the Transportation opened bids for the Project. Four bids were received ranging from \$469,032.78 to \$724,000.00.

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

The Disadvantaged Business Enterprise (DBE) goal for the Project is 6%. Lamon Construction Co., Inc. (Lamon) submitted their DBE information with the bid and showed they would exceed the DBE goal with 9.5% committed. Transportation has reviewed Lamon'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 Lamon provided sufficient written confirmation from each DBE firm that each is participating in the Contract; and, that Lamon has committed to exceeding the Contract DBE goal.

Transportation issued the All Bidders Letter on Tuesday, March 21, 2017 notifying bidders of the recommendation to the Board for award and initiating the two-day bid protest period. The bid protest period ended at 4:00 p.m. on Thursday, March 23, 2017 with no protests filed.

Transportation recommends award of the Construction Contract to Lamon Construction Co., Inc., who submitted the lowest responsive, responsible bid in the amount of \$469,032.78.

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 CDA Director to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the CDA 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. 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. PCC Section 20142 and Resolution 102-2012 authorize the CDA Director to execute individual CCOs, the maximum value of which is based on the original contract amount with a not-to-exceed limit of \$35,951.64 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 tree removal, roadway and culvert excavation, including removal of the existing failed 24-inch corrugated steel pipe, installation of a new 36-inch reinforced concrete pipe with headwalls and rock slope protection, placement of a new roadway structural section, paving, and striping work. The roadway will remain closed for the duration of the Project.

Due to potential Federal funding, both California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance are required. A CEQA Notice of Exemption was filed on February 21, 2017. The Preliminary Environmental Study (PES) paperwork was submitted to District 3 Local Assistance on March 9, 2017. A California Department of Transportation (Caltrans) NEPA Categorical Exclusion Determination is in process and will be issued after construction is completed. Since compliance with Caltrans and FHWA emergency project delivery procedures will add several months to the project delivery schedule, Transportation has requested and FHWA and Caltrans have approved, that completion of these procedures prior to construction can be waived for this Project.

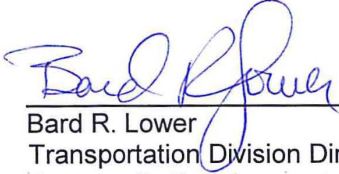
The Contract Documents include all required Federal provisions and incorporate the current Caltrans Disadvantaged Business Enterprise (DBE) requirements. The DBE goal is 6%.

On February 28, 2017 (Item 40) and March 7, 2017 (Emergency Item), the Board adopted and approved the Contract Documents and authorized advertisement for construction bids for the Project.

**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 Michele Weimer, Community Development Agency, Administration and Finance Division, Contracts and Procurement Unit, for further processing.

Sincerely,

  
Bard R. Lower  
Transportation Division Director  
Community Development Agency