



COMMUNITY DEVELOPMENT AGENCY

TRANSPORTATION DIVISION

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July 10, 2015

Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Agenda Title: 7/21/2015 Transportation Green Valley Road Traffic Signal Interconnect Project Award of Bid, Legistar #15-0604

Meeting Date: July 21, 2014

Dear Members of the Board:

Community Development Agency, Transportation Division, is recommending the following pertaining to the Green Valley Road Traffic Signal Interconnect Project, Contract No. PW 14-31065, CIP No. 73151, P&C No. 017-C1699:

- 1) Award the Construction Contract to Tim Paxin's Pacific Excavation, Inc., who submitted the lowest responsive, responsible bid of \$172,582.57;
- 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.

Funding

Funding for the Project will be provided by Highway Safety Improvement Program (HSIP) funds (83%) and Regional Surface Transportation Program (RSTP) Match Funds-Caltrans (17%). (Federal Funds)

The estimate for the construction phase of the Green Valley Road Traffic Signal Interconnect Project (Project) is \$231,053.61, which includes a bid of \$172,582.57; supplemental items of work totaling \$12,080.78; construction management, surveying, materials testing, and design support during construction totaling approximately \$29,132.00; and a contingency of \$17,258.26. Due to the low bid being higher than the original Engineer's Estimate, this estimate for the construction phase is \$9,221.61 over the original CIP construction budget.

Department Recommendation

On June 29, 2015, the Community Development Agency, Transportation Division (Transportation) opened bids for the Project. Three bids were received ranging from \$172,582.57 to \$204,264.00.

The Project is included in Transportation's 2015 Capital Improvement Program (CIP) with a construction phase budget of \$221,832.00. Transportation anticipates increasing the amount budgeted for the current fiscal year during the upcoming CIP adjustment, as a result of the increased construction costs. An additional \$9,221.61 of Regional Surface Transportation Program (RSTP) Match Funds will be added in the 2015 CIP update to account for the additional construction phase cost.

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

The Disadvantaged Business Enterprise (DBE) goal for the Project is 11%. 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 p.m. on the fourth business day after the bid opening, which for this Project was July 6, 2015. Tim Paxin's Pacific Excavation (TPPE) submitted their DBE Commitment form on June 30, 2015. Revisions were requested by Transportation to account for a DBE contractor shown on the Subcontractor List but not referenced on the DBE Commitment form, the quote for the DBE Contractor's work and math errors on the original DBE Commitment form submitted. TPPE submitted their revised DBE Commitment form on July 2, 2015. The DBE Commitment form shows that TPPE has committed to a DBE goal of 17%. Transportation has reviewed TPPE'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 TPPE provided sufficient written confirmation from each DBE firm that each is participating in the Contract; and, that TPPE has committed to exceeding the contract goal.

Transportation issued the All Bidders Letter on Thursday, July 2, 2014, notifying Bidders of the recommendation to the Board for award to TPPE and initiating the five-day bid protest period. The bid protest period ended at 4:00 p.m. on Friday, July 10, 2015, with no protests filed.

TPPE submitted the lowest bid in the amount of \$172,582.57. Transportation recommends award of the Construction Contract to TPPE who submitted the lowest responsive, responsible bid.

Authorize Community Development Agency Director to Sign Escrow Agreement:

Pursuant to Special Provisions Section 9-1.16F, "Retentions", 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 Community Development Agency Director to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the 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 (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.

Supplemental CCOs:

Certain types of work are necessary to complete the Project which cannot be estimated accurately because they require a variable effort to complete. These items are referred to as Supplemental items and are identified in the Contract Documents as CCO work to be performed and paid for on a time and material basis, using California Department of Transportation standard force account billing procedures. The work is authorized by issuance of a CCO, which also encumbers the funds anticipated to be needed for each of the planned supplemental items of work and is billed against as the work progresses. The amount of each CCO is based on an evaluation by Transportation staff of the Project components, area, and time frame. Supplemental items in this contract include Dust Control, Water Pollution Control, and Flagging for an estimated total of \$12,080.78. This work is anticipated and budgeted for separately. Therefore, supplemental CCOs are not included in the 10% cap normally associated with contingency CCOs.

Contingency CCOs:

In construction contracts there is 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 is \$17,258.26. PCC Section 20142 and Resolution 102-2012 authorize the Community Development Agency Director to execute individual CCOs, the maximum value of which is based on the original contract amount with a not-to-exceed limit. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original contract value.

Discussion / Background

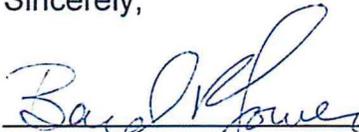
The Project consists of installing signal interconnect on Green Valley Road between Francisco Drive and Silva Valley Parkway; modifying existing traffic signals; replacing traffic signal controllers and cabinet; installing new detector loops; and re-striping pavement.

On June 2, 2015, the Board adopted and approved the Plans and Specifications and authorized advertisement for construction bids for the Project with a June 29, 2015 bid opening.

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 Transportation for further processing.

Sincerely,



Bard R. Lower
Transportation Division Director
Community Development Agency