



# COMMUNITY DEVELOPMENT AGENCY

## TRANSPORTATION DIVISION

<http://www.edcgov.us/DOT/>

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July 29, 2016

Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

**Agenda Title:** U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1C  
Riparian Restoration Project  
Award of Bid, Legistar #16-0455

**Meeting Date:** August 2, 2016

Dear Members of the Board:

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1C Riparian Restoration Project, Contract 14-31079, CIP 71346, P&C 033-C1799:

- 1) Award the Construction Contract to Hanford Applied Restoration & Conservation who submitted the lowest responsive, responsible, bid of \$679,891.75;
- 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**

Project is funded by Missouri Flat Area Master Circulation and Financing Plan (100%). (No Federal Funds)

### **Department Recommendation**

On July 15, 2016, the Community Development Agency (CDA), Transportation Division (Transportation) opened bids for the Project. Four bids were received ranging from \$679,891.75 to \$1,032,423.75.

The Project is budgeted in the Interim 2016 Capital Improvement Program (CIP), adopted by the Board on June 7, 2016 (Item No. 39) with a Direct Construction Costs budget of \$1,330,000.00 and a Construction/Engineering and Admin budget of \$178,000.00 for a total construction budget of \$1,508,000.00.

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

Transportation issued the All Bidders Letter on Friday, July 22, 2016, notifying bidders of the recommendation to the Board for award and initiating the five-day bid protest period. The bid protest period ended at 4:00 p.m. on Friday, July 29, 2016 with no protests filed.

Hanford Applied Restoration & Conservation (Hanford) submitted the lowest responsive, responsible bid in the amount of \$679,891.75. Transportation recommends award of the Construction Contract to Hanford 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 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 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's (Caltrans) standard force account billing procedures. The work is authorized by issuance of a CCO, which also encumbers the funds anticipated to be needed for 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 Flagging, Dust Control, Storm Water, and Water Use Charges totaling \$97,785.39. 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 \$67,989.18. 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 of \$46,494.59 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 provides riparian restoration and other environmental mitigation for the Missouri Flat 1A, 1B, and 1B.2 Projects. Construction for the Project includes plant propagation, plant installation, temporary irrigation installation and removal, along with a five-year (5-year) maintenance period.

The work included in the Project is required by the environmental document that was adopted for the reconstruction of the U.S. 50/Missouri Flat Interchange. The Environmental Impact Report and Supplemental Environmental Impact Report in accordance with the California Environmental Quality Act and the National Environmental Policy Act for the U.S. 50/Missouri Flat Interchange Project were adopted by the Board on August 31, 2004 (Item 92). Copies of the various permits required on the Project are included in Appendix B of the Contract Documents.

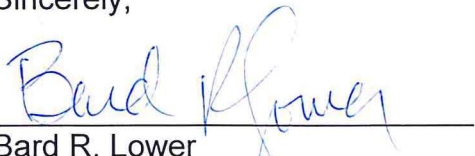
All required right-of-way for the Project has been acquired. Caltrans has issued the required encroachment permit.

On June 14, 2016 (Item No. 22), the Board adopted and approved the Contract Documents and Plans 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 two (2) originals of 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 one (1) fully executed Construction Contract to the Community Development Agency, Administration and Finance Division, Contracts and Procurement Unit, for further processing.

Sincerely,



Bard R. Lower  
Transportation Division Director  
Community Development Agency