



## Legislation Details (With Text)

**File #:** 09-0684      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 5/19/2009      **In control:** Board Of Supervisors

**On agenda:** 10/20/2009      **Final action:** 10/20/2009

**Title:** Transportation Department recommending the following pertaining to Cameron Park Congregate Care, The Duets:

- 1) Accept the subdivision improvements as substantially complete;
- 2) Reduce Performance Bond No. 780045S to \$286,753.06, which is 10% of the total cost of improvements to guarantee against any defective work, labor done, or defective materials furnished, and release the remainder after one year if no claims are made; and
- 3) Hold the Laborers and Materialsmen Bond No. 780045S in the amount of \$1,433,765.34 to guarantee payment to persons furnishing labor, materials or equipment, and release the bond in six months if no claims are filed.

**FUNDING:** Developer funds, Pacific Oak Development, Inc.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Vicinity Map.PDF, 2. B - Apprvd Blue.PDF, 3. C - Agmt 08-1731 SIA .PDF, 4. D - Conditions of Apprvl.PDF

| Date       | Ver. | Action By            | Action   | Result |
|------------|------|----------------------|----------|--------|
| 10/20/2009 | 1    | Board Of Supervisors | Approved | Pass   |

Transportation Department recommending the following pertaining to Cameron Park Congregate Care, The Duets:

- 1) Accept the subdivision improvements as substantially complete;
- 2) Reduce Performance Bond No. 780045S to \$286,753.06, which is 10% of the total cost of improvements to guarantee against any defective work, labor done, or defective materials furnished, and release the remainder after one year if no claims are made; and
- 3) Hold the Laborers and Materialsmen Bond No. 780045S in the amount of \$1,433,765.34 to guarantee payment to persons furnishing labor, materials or equipment, and release the bond in six months if no claims are filed.

**FUNDING:** Developer funds, Pacific Oak Development, Inc.

**Fiscal Impact/Change to Net County Cost:**

There is no fiscal impact associated with this action.

**Background:**

On September 16, 2008, the Board of Supervisors approved Subdivision Improvement Agreement (SIA) # AGMT 08-1731 between the County and Pacific Oak Development, Inc. Under the conditions of approval for the Cameron Park Congregate Care, The Duets Project, the developer was required to improve the on-site access road and to construct sidewalks and signage to provide pedestrian access for the project residents.

Reason for Recommendation:

The developer has substantially completed the required subdivision improvements according to the plans and specifications for this development and per the conditions of the Agreement to Make Subdivision Improvements for Class I Subdivisions between the County and Pacific Oak Development, Inc., dated September 16, 2008.

The Department of Transportation's (Department) recommendation is to reduce the Performance Bond No. 780045S to \$286,753.06, which is 10% of the total cost of improvements. This amount guarantees against any defective work, labor done, or defective materials furnished. The remainder is to be released after one year if no claims are made. The Department further recommends that Laborers and Materialsmen (L&M) Bond No. 780045S in the amount of \$1,433,765.34 be held to guarantee payment to persons furnishing labor, materials or equipment, and released after six months if no claims have been filed.

Action to be taken following Board approval:

1) The Board Clerk will advise Pacific Oak Development, Inc. that Performance Bond No. 780045S has been reduced to \$286,753.06.

Action to be taken by the Department following Board approval:

1) In six months, the Department will submit a request to the Board Clerk to release L&M Bond No. 780045S if no claims have been filed.

2) After one year, the Department will submit a request to the Board Clerk to release Performance Bond No. 780045S if no claims are made.

Contact:

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Director of Transportation

Concurrences: N/A