



Legislation Details (With Text)

File #: 18-1928 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 12/7/2018 **In control:** Board of Supervisors

On agenda: 1/15/2019 **Final action:** 1/15/2019

Title: Department of Transportation recommending the Board:
 1) Accept the constructed improvements for the Shingle Springs Village Project as complete;
 2) Reduce the total cash deposits (in lieu of Performance and Laborer and Materialmens Bonds) from \$2,984,473.12 to \$298,447.31, which is ten percent of the total cost of the improvements. This amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one year if no claims are made;
 3) Authorize the Community Development Services, Administration and Finance Division to release \$2,686,025.81 in cash security at this time; and
 4) Authorize the Community Development Services, Administration and Finance Division to release the remaining cash deposit after the required time period upon written request from the Department of Transportation.

FUNDING: Developer Funded.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/15/2019	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board:
 1) Accept the constructed improvements for the Shingle Springs Village Project as complete;
 2) Reduce the total cash deposits (in lieu of Performance and Laborer and Materialmens Bonds) from \$2,984,473.12 to \$298,447.31, which is ten percent of the total cost of the improvements. This amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one year if no claims are made;
 3) Authorize the Community Development Services, Administration and Finance Division to release \$2,686,025.81 in cash security at this time; and
 4) Authorize the Community Development Services, Administration and Finance Division to release the remaining cash deposit after the required time period upon written request from the Department of Transportation.

FUNDING: Developer Funded.

DISCUSSION / BACKGROUND

On June 28, 2016 (Item 51), the Board approved Site Plan Review (SPR) 15-0003/Shingle Springs Drive Improvements-Encroachment Permit submitted by the Shingle Springs Band of Miwok Indians Development Corporation (Tribe).

On June 27, 2017 (Item 59), the Board approved Road Improvement Agreement for Shingle Springs Village, SPR 15-0003, Offsite Improvements Agreement 17-54634 (RIA) with the Tribe to construct

the necessary water, sewer, road and driveway access improvements. The improvements for the project have been inspected by the Department of Transportation (Transportation) and were found to be complete in accordance with the approved plans, specifications and requirements of the RIA.

In lieu of Performance and Laborer and Materialmens Bonds, the Tribe provided cash deposits in the amount of \$2,984,473.12, half of which was specifically provided in lieu of Laborer and Materialmens Bonds. Transportation has received a lien release from the contractor verifying all payments have been made to persons furnishing labor, materials, or equipment. Therefore, Transportation is requesting the Board reduce the total cash security to \$298,447.31 to guarantee against any defective work, labor done, or defective materials furnished, which is to be released after one year if no claims are made and authorize the release of \$2,686,025.81 in cash security at this time.

ALTERNATIVES

None; when the Owner/Developer completes all improvements and the County inspects and approves those improvements, the County is then obligated to approve reduction of the cash security deposits (in lieu of Performance and Laborer and Materialmens Bonds), if necessary, and initiate the warranty period.

PRIOR BOARD ACTION

See Discussion / Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The requested Board action has no associated fiscal impact or change to Net County Cost.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Rafael Martinez, Director
Department of Transportation