



## Legislation Details (With Text)

**File #:** 24-0521      **Version:** 1

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

**File created:** 3/11/2024      **In control:** Board of Supervisors

**On agenda:** 5/21/2024      **Final action:** 5/21/2024

**Title:** Department of Transportation recommending the Board consider the following for the El Dorado Trail - Missouri Flat Road Bike / Pedestrian Overcrossing Phase 2 Project, Capital Improvement Program project number 36109002:

- 1) Make findings in accordance with Section 3.13.030 (C) of the County Ordinance that due to limited time frames and the temporary or occasional nature of the work, there is a need to engage an independent contractor for construction support services for the project;
- 2) Award Request for Proposal 24-958-035 to HDR Construction Control Corporation; and
- 3) Approve and authorize the Chair to sign Agreement for Services 8601 with HDR Construction Control Corporation to provide construction support services in the amount of \$865,000 for a term beginning upon execution and expiring two (2) years thereafter.

**FUNDING:** Congestion Mitigation and Air Quality (17%), Road Fund (<1%), Active Transportation Program (41%), Regional Surface Transportation Program Federal Funds - Caltrans Local Assistance (30%), Transportation Development Act (2%), Regional Surface Transportation Program Advance - Match (<1%), and To Be Determined (9% - see "Financial Impact" section of the staff report). (Federal, State, and Local Funds)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Contract Routing Sheet, 2. B - Agreement 8601, 3. Executed Agreement 8601

Date	Ver.	Action By	Action	Result
5/21/2024	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following for the El Dorado Trail - Missouri Flat Road Bike / Pedestrian Overcrossing Phase 2 Project, Capital Improvement Program project number 36109002:

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### DISCUSSION / BACKGROUND

On December 19, 2023, at the request of the Department of Transportation (Transportation), the Procurement and Contracts Division of the Chief Administrative Office issued a Request for Proposals (RFP) #24-958-035 for construction support services for the El Dorado Trail - Missouri Flat Road Bike/Pedestrian Overcrossing Phase 2 Project (Project). This Project will construct a bicycle/pedestrian over-crossing as part of the El Dorado Trail at Missouri Flat Road. Transportation received two (2) proposals. A panel evaluated and ranked the proposals based on the thoroughness, clarity, and quality of the material presented, past performance and related experience, expertise, project approach, and familiarity of federal processes, including compliance with the Disadvantaged Business Enterprise (DBE) goal. The top-ranked proposer was determined to be HDR Construction Control Corporation (HDR).

Transportation recommends the Board make findings in accordance with Section 3.13.030 (C) of the County Ordinance that due to limited time frames and the temporary or occasional nature of the work, there is a need to engage an independent contractor for the construction support services for this Project. Within the scope of Agreement for Services 8601 (Agreement), HDR will assist Transportation with construction inspection, administration, and engineering, including as-built plans, water pollution control, and Project closeout. A Resident Engineer and inspectors will be able to oversee field operations and assist with inspection duties when Transportation staff is managing other projects. Historically, Transportation has been able to reallocate staff within the department to cover shifting priorities on projects; however, projects which are active during the construction season cannot take existing staff off their other duties, project reviews, and special projects, where missed deadlines would jeopardize funding for these projects. Hiring and training extra help "seasonal" staff would not be feasible due to the construction season and associated increased workload, the long timelines for recruitments for technical positions, and the small candidate pools interested in short-term positions.

The RFP process was conducted in accordance with County Procurement Policy C-17.

The El Dorado County Employees Association, Local #1, was informed of this proposed Agreement.

## **ALTERNATIVES**

- 1) Direct Transportation to make changes to the proposed Agreement and return to the Board at a later date. Transportation's ability to move forward on the Project would be delayed.
- 2) Direct Transportation to complete the requested services through an alternate agreement. This option would also result in delayed completion of the Project and potential additional costs.
- 3) Transportation could attempt to hire additional staff for a short period of time (part time, limited term). However, it is not likely that someone with the necessary construction support expertise as a Resident Engineer and inspector would be willing to work part time in a limited term capacity.

## **PRIOR BOARD ACTION**

- 1) On December 19, 2017 (Legistar 17-1246, Item 25), the Board adopted the California Environmental Quality Act Initial Study/Mitigated Negative Declaration for the Project.
- 2) On January 23, 2024 (Legistar 24-0056, Item 11), the Board approved the advertisement for bids for the construction of the Project.
- 3) On April 9, 2024 (Legistar 24-0528, Item 39), the Board rejected the construction bids received due to the amounts exceeding the currently approved Project budget, and authorized Transportation to re-bid the Project.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have reviewed and approved the Agreement.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no change to net County cost resulting from approval of the proposed Agreement. Funding for the Project is included in Transportation's 2023 Capital Improvement Program, which was approved by the Board on June 6, 2023 (Legistar 23-0851, Item 56).

The "Funding" section of the staff report indicates that 9% of the overall Project funding is "To Be Determined." This is because the Project is currently bidding for construction. Since the first round of construction bids were higher than the currently approved Project budget, Transportation has requested additional funding from the El Dorado County Transportation Commission in anticipation of new construction bids. The results from the bid opening will be brought to the Board at a later date.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original of the Agreement.
- 2) The Clerk of the Board will forward one (1) fully executed copy of the Agreement to the County's Chief Administrative Office, Procurement and Contracts, for further processing.

### **STRATEGIC PLAN COMPONENT**

Priority: N/A

Action Item: N/A

### **CONTACT**

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Department of Transportation