



Legislation Details (With Text)

File #: 19-1503 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 10/3/2019 **In control:** Board of Supervisors

On agenda: 11/5/2019 **Final action:** 11/5/2019

Title: Department of Transportation recommending the Board consider the following:
 1) Approve and authorize the Chair to sign the Notice of Acceptance with Truesdell Corporation of California for the Safety Countermeasures at Various Locations Project, 49320/36201034, Contract 3630;
 2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department of Transportation, after the one-year guarantee period; and
 3) Approve and authorize the Chair to sign a Budget Transfer in the amount of \$375,000, increasing appropriations and related revenues for Fiscal Year 2019-20 to re-budget expenditures that did not occur during FY 2018-19. (4/5 vote required)

FUNDING: Highway Safety Improvement Program Funds (100%). (Federal Funds)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Notice of Acceptance, 2. B - Budget Transfer, 3. Recorded Notice of Acceptance, 4. Executed Budget Transfer

Date	Ver.	Action By	Action	Result
11/5/2019	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

The contract for the Project was approved by the Board on April 2, 2019, (Item 32) and the roadways were opened to motorists on August 2, 2019. Recordation of the Notice of Acceptance (NOA) will start legal time frames for guarantees, a lien period, and return of retention monies. Recordation of the NOA will also start the one-year time frame for releasing the Payment and Performance Bonds to the Surety.

Direct Construction Cost Summary:

Original Bid Price	\$ 1,118,118.00
Contract Item Cost	\$ 1,135,133.49
Contract Change Order Cost	\$ 96,160.00
Total Direct Construction Cost	\$ 1,231,293.49
Direct Construction Budget	\$ 1,285,835.70

Major Contract Change Orders on the Project dealt with traffic control, night work and additional striping.

The final costs listed are estimates. Transportation will be closing out the Project with the Contractor and finalizing costs over the coming weeks. Any significant deviations from the estimates above that exceed Transportation's allocated authority will be brought back to the Board for review and approval in a subsequent agenda item.

ALTERNATIVES

The Board could choose not to approve the NOA. Transportation staff would make modifications as directed by the Board and return for Board approval of the NOA. This would delay the release of the Payment and Performance Bonds and extend the Contractor's warranty period.

PRIOR BOARD ACTION

See Discussion / Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

Transportation estimated that half of the Project's construction budget would be spent in FY 2018-19, with the other half being spent in FY 2019-20. Weather delayed construction start in Spring 2019, resulting in lower project expenditures in FY 2018-19 and higher project expenditures in FY 2019-20. This necessitates a budget transfer to roll funding and expenditures forward from FY 2018-19 to FY 2019-20. Thus, in order to complete payment to the contractor, budgeted appropriations in the DOT Engineering FY 2019-20 budget need to be increased in Construction and Engineering Contracts by \$375,000. This is offset by an increase in Federal Hazard Elimination revenue in the amount of \$375,000. The overall construction budget has not been exceeded.

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 NOA.
- 2) The Clerk of the Board will send the fully executed original of the NOA to the Recorder/Clerk's Office for recordation within ten (10) days, and forward a copy of the recorded NOA to Transportation, Headington Engineering, Attention: John Kahling.
- 3) One (1) year after the recordation of the NOA, Transportation will verify that all warranty work, if any, has been satisfactorily completed and will notify the Clerk of the Board in writing to release the Payment and Performance Bonds.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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Department of Transportation