



## Legislation Details (With Text)

**File #:** 18-1164      **Version:** 1

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

**File created:** 7/19/2018      **In control:** Board of Supervisors

**On agenda:** 8/28/2018      **Final action:** 8/28/2018

**Title:** Community Development Services, Department of Transportation, recommending the Board consider the following:  
 1) Approve and authorize the Chair to sign the Notice of Acceptance with Trinity River Construction, Inc., for the Starkes Grade Road Slipout Project, CIP 78715/36102014, Contract 2354; and  
 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.

**FUNDING:** Local and State discretionary funding initially (100%), with Transportation staff working with the Federal Emergency Management Agency and California Office of Emergency Services to obtain reimbursement of up to 93.75% of total project costs. (Local/State/Federal)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Notice of Acceptance, 2. Recorded Notice of Acceptance

Date	Ver.	Action By	Action	Result
8/28/2018	1	Board of Supervisors	Approved	Pass

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**DEPARTMENT RECOMMENDATION**

Community Development Services (CDS), Department of Transportation (Transportation), recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Trinity River Construction, Inc., for the Starkes Grade Road Slipout Project, CIP 78715/36102014, Contract 2354; and
- 2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from Transportation, after the one-year guarantee period.

**DISCUSSION / BACKGROUND**

The contract for the Project was approved by the Board on January 23, 2018, (Item 21). The roadway was opened to motorists on June 5, 2018. Recordation of the 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	\$ 901,854.45
Contract Item Cost	\$ 887,286.10
Contract Change Order Cost	\$ 158,229.49
Total Direct Construction Cost	\$1,045,515.59
Direct Construction Budget	\$1,086,000.00

Major Contract Change Orders on the Project dealt with the following:

- Removal of unsuitable material including significant revisions to the drainage system. The site contained a large amount of unsuitable material due to oversaturation and due to the presence of excessive amount of non-earthen materials, such as old timber, root balls, and other organic matter. In addition to unsuitable material, there was far more groundwater present than could have been anticipated prior to excavation. The County issued Contract Change Orders 2 and 2.1 to pay the Contractor to remove the unsuitable material and haul it off site. Contract Change Order 2.1 was approved by the Board on May 22, 2018 (item 47). These change orders also changed the drainage design and added subdrainage to mitigate the excessive amount of groundwater at the site.

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.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

**CAO RECOMMENDATION**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. The Project is budgeted in Transportation’s 2018 CIP, which was approved by the Board on June 26, 2018 (Item 61). The anticipated direct construction cost is less than the direct construction budget established by the Board.

**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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Community Development Services, Department of Transportation