



## Legislation Details (With Text)

**File #:** 08-1404      **Version:** 3

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

**File created:** 5/26/2009      **In control:** Board Of Supervisors

**On agenda:** 12/15/2009      **Final action:** 12/15/2009

**Title:** Transportation Department recommending the following pertaining to the Rite Aid at Cameron Ranch Project:  
 1) Accept as complete the constructed improvements at the intersection of Green Valley Road and Starbuck Road;  
 2) Reduce Performance Bond No. 4363217 by \$550,091.92 to \$61,121.32 to guarantee against defective work, labor done or defective materials furnished and release after one year if no claims are made; and  
 3) Hold Laborers and Materialmens Bond No. 4363217 in the amount of \$611,213.24 to guarantee payment to persons furnishing labor, materials or equipment and release in six months if no claims are made.

**FUNDING:** Developer, Celtic Properties

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Contract Route Sheet.pdf, 2. RIA #AGMT 07-1523.pdf, 3. Conditions of Approval.pdf, 4. RIA L&M Bond & Bond Rider.pdf, 5. RIA Perf Bond & Bond Rider.pdf, 6. Improvmmt Plans Cover Sheet-Site Location.pdf, 7. 3A - Vicinity Map Rite Aid.pdf

Date	Ver.	Action By	Action	Result
12/15/2009	3	Board Of Supervisors	Approved	Pass
9/30/2008	1	Board Of Supervisors	Approved	Pass

Transportation Department recommending the following pertaining to the Rite Aid at Cameron Ranch Project:  
 1) Accept as complete the constructed improvements at the intersection of Green Valley Road and Starbuck Road;  
 2) Reduce Performance Bond No. 4363217 by \$550,091.92 to \$61,121.32 to guarantee against defective work, labor done or defective materials furnished and release after one year if no claims are made; and  
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**FUNDING:** Developer, Celtic Properties

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

Per Section 17 ACCEPTANCE of Road Improvement Agreement #AGMT 07-1523, the County (Board of Supervisors) will accept the road improvements for maintenance upon completion of all the work and fulfillment of the conditions of the Agreement. Long term there will be some financial impact to the County as future maintenance of the facilities will affect the Department's Road Fund budget. There is no cost to the County General Fund.

Background:

On September 30, 2008, the Board of Supervisors approved Road Improvement Agreement # AGMT 07-1523 between the County and Celtic Properties. Under the conditions of approval for the Rite Aid at Cameron Ranch project, the Developer was required to improve the frontages along the north side of Green Valley Road and the east side of Starbuck Road. The roadway improvements included rebuilding the existing road surfaces, constructing a raised median on Green Valley Road, adding sidewalks, relocating a traffic signal pole, installing water, sewer and storm drain lines, and restriping the roads. In the interest of public safety and in anticipation of a future capital improvement project, Condition No.15.a was modified and reduced in scope.

Reason for Recommendation:

The road improvements have been inspected and were found to be complete according to the approved plans and specifications for the project. The Department has determined that requirements of the Road Improvement Agreement have been met.

Performance Bond No. 4363217 in the amount of \$611,213.24 is being reduced by 90%, which is \$550,091.92, leaving a balance of \$61,121.32. The 10% balance will be held for one year to guarantee against any claims that may arise from defective work, labor done or defective materials furnished.

Laborer and Materialmens (L&M) Bond No. 4363217 in the amount of \$611,213.24 will be held for six months to guarantee payment to persons furnishing labor, materials or equipment. If no claims are made, the Department will request the Clerk of the Board release the L&M Bond at the end of six months.

Action to be taken following Board approval:

1. The Clerk of the Board will reduce Performance Bond No. 4363217 by \$550,091.92, leaving a balance of \$61,121.32 and hold Laborers and Materialmens Bond No. 4363217 in the amount of \$611,213.24.

Contact:

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Director of Transportation

Concurrences: None