



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 08-0267      **Version:** 1  
**Type:** Agenda Item      **Status:** Approved  
**File created:** 2/14/2008      **In control:** Board Of Supervisors  
**On agenda:** 3/25/2008      **Final action:** 3/25/2008

**Title:** Transportation Department recommending Chairman be authorized to sign Contract Change Order No. 2 Supplemental No. 1 with Nehemiah Construction, Inc. in the amount of \$100,000 to provide compensation for all labor, equipment, materials, and supplies necessary for water pollution control work for the U.S. 50/Missouri Flat Road Overcrossing Phase 1A Project.  
**RECOMMENDED ACTION:** Approve.

**FUNDING:** Traffic Impact Mitigation Fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CCO 2, 2. CCO 2.1

Date	Ver.	Action By	Action	Result
3/25/2008	1	Board Of Supervisors	Approved	Pass

Transportation Department recommending Chairman be authorized to sign Contract Change Order No. 2 Supplemental No. 1 with Nehemiah Construction, Inc. in the amount of \$100,000 to provide compensation for all labor, equipment, materials, and supplies necessary for water pollution control work for the U.S. 50/Missouri Flat Road Overcrossing Phase 1A Project.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Traffic Impact Mitigation Fees.

<b>BUDGET SUMMARY:</b>		
Total Estimated Cost		\$100,000
Funding		
Budgeted	\$100,000	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$100,000	
Change To Net County Cost		\$0

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

The total budget for construction is \$22,728,265 (spanning FYs 06-07 through 09-10) with \$4.36 million of this amount in contingency to provide funding to completion of the U.S. 50/Missouri Flat

Road Overcrossing Phase 1A Project (Project), absent some extraordinary event. Including the proposed Contract Change Order (CCO), the contingency balance is now \$3,136,738 and deemed adequate by the Transportation Department's (Department) Project Engineer. There is no Net County Cost.

	<u>Contract Amount</u>	<u>Contingency Budget</u>	<u>Total Budget</u>
Original:	\$18,368,265	\$4,360,000	\$22,728,265
Executed CCOs 1-38:	\$1,123,262	(\$1,123,262)	\$0
Proposed CCO:	\$100,000	(\$100,000)	\$0
Revised.0			
Balance:	\$19,591,527	\$3,136,738	\$22,728,265

Background:

Section 10-1.03 of the Project's Special Provisions states that the Contractor is required to comply with all local, State, and Federal regulations regarding storm water and non-storm water discharges from the Project site and from areas disturbed by the Contractor outside the Project limits during construction. Section 10-1.03 of the Special Provisions also states that the cost of performing water pollution control work shall be paid by the County via force account (time and materials) CCO. In doing so, certain items of work necessary to complete the Project and which require a variable work effort to complete are identified in the Contract Documents as supplemental items of work to be performed and paid for on a time and materials basis, using standard Caltrans force account billing procedures. The work is authorized by issuance of a CCO, which also encumbers the funds anticipated to be needed for each of the planned supplemental items and is billed against as the work progresses.

Dust control, water pollution control, and traffic control work are paid in this manner because at bid time, it is extremely difficult for contractors to quantify the amount of work required for these items of work that are dependent upon subsurface conditions, weather, and changing traffic patterns. The County benefits from this method by eliminating higher costs and potential disputes that arise when bidders are required to put a fixed price on a scope of work that can be highly variable.

On this Project, effective water pollution control measures, which were not anticipated in the original estimate, required that the Contractor essentially cover all exposed dirt areas with erosion control blankets and cover several thousand cubic yards of dirt stockpiles with plastic. The heavy rains and especially the heavy winds in December 2007 also pushed costs beyond the Department's original estimate.

Reason for Recommendation:

On June 29, 2007, the Board executed CCO # 2 for \$145,000.00 to provide compensation for water pollution control per Section 10-1.03 of the Project's Special Provisions. This proposed CCO # 2 Supplemental # 1 includes expenditures already authorized by the County. The Department is requesting the Board authorize the Chairman to execute a supplemental water pollution control CCO in the amount of \$100,000.00 to cover remaining costs expected to be incurred while controlling

Project run-off in accordance with the Contract Documents and all local, State, and Federal regulations regarding storm water and non-storm water discharges. The actual cost of all water pollution control work invoiced by the Contractor through February 14, 2008 on this Project has totaled \$144,958.15. At this time, the Project is well ahead of schedule, and the Department anticipates that water pollution control costs for winter 2008-2009 will be minimal. Execution of this proposed CCO will approve the expenditure of a total combined cost for CCO # 2 and CCO # 2 Supplemental # 1 of \$245,000.00.

Action to be taken following Board approval:

1. The Board Chairman will sign one (1) original of CCO # 2 Supplemental # 1.
2. The Board Clerk will send one (1) certified copy of CCO # 2 Supplemental # 1 to the Department for further processing to the Contractor.

Contact:

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Director of Transportation