



## Legislation Details (With Text)

**File #:** 22-1306      **Version:** 1

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

**File created:** 7/12/2022      **In control:** Board of Supervisors

**On agenda:** 8/16/2022      **Final action:** 8/16/2022

**Title:** Department of Transportation recommending the Board consider the following:  
 1) Approve and authorize the Chair to sign the Notice of Acceptance with St. Francis Electric for the US 50/ Bass Lake Road East Bound Off-Ramp Signalization Project, Capital Improvement Program project number 36104030, Contract 4471; 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:** Highway 50 Traffic Impact Fees (100%). (Local Funds)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Notice of Acceptance, 2. Executed Notice of Acceptance Conformed Copy

Date	Ver.	Action By	Action	Result
8/16/2022	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following:  
 1) Approve and authorize the Chair to sign the Notice of Acceptance with St. Francis Electric for the US 50/ Bass Lake Road East Bound Off-Ramp Signalization Project, Capital Improvement Program project number 36104030, Contract 4471; 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:** Highway 50 Traffic Impact Fees (100%). (Local Funds)

**DISCUSSION / BACKGROUND**

The Board approved the contract for the US 50/ Bass Lake Road East Bound Off-Ramp Signalization Project on June 08, 2021 (Legistar 21-0788, Item 36), the Notice to Proceed was issued on November 9, 2021, and the signals were activated on May 24, 2022. 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	\$567,000
Contract Item Cost	\$572,596
Contract Change Order Cost	\$15,935
<b>Total Direct Construction Cost</b>	<b>\$588,531</b>

Direct Construction Budget                      \$680,400

Contract Change Orders on the Project include installation of additional conduit and conductor wire per Caltrans request.

The final costs listed are estimates. Transportation staff 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. The Contractor did not complete the Project on time, so liquidated damages will likely be assessed. As Transportation staff move through the final payment process, the liquidated damages will be discussed with the Contractor, and any implementation of liquidated damages will result in a lower direct construction cost than is shown above.

**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**

Approve as recommended.

**FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. The Project is budgeted in Transportation's 2022 CIP, which the Board approved on June 8, 2021 (Item 36, Legistar 21-0788). 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**

Rafael Martinez, Director  
Department of Transportation