



## Legislation Details (With Text)

**File #:** 18-1908      **Version:** 1

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

**File created:** 12/5/2018      **In control:** Board of Supervisors

**On agenda:** 1/15/2019      **Final action:** 1/15/2019

**Title:** Department of Transportation recommending the Board consider the following:  
 1) Approve and authorize the Chair to sign the Notice of Acceptance with Steelhead Constructors, Inc., for the Pony Express Trail Slipout Project, Contract PW 18-31214, CIP 78718/36102018, Contract 2726; 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:** Schedule A - Local and State discretionary funding initially (100%), with Department of Transportation staff working with the Federal Emergency Management Agency and the California Office of Emergency Services to obtain reimbursement. Schedule B - Road Fund / Discretionary funding. (Local, State, and Federal)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Notice of Acceptance, 2. B - Recorders Form, 3. Recorded Notice of Acceptance

Date	Ver.	Action By	Action	Result
1/15/2019	1	Board of Supervisors	Approved	Pass

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**DISCUSSION / BACKGROUND**

The contract for the Project was approved by the Board on July 24, 2018 (Item 37, Legistar 18-0976). All roadway repairs were completed by October 26, 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	\$ 1,086,686.00
Contract Item Cost	\$ 1,116,567.00
Contract Change Order Cost	\$ 109,036.24
Total Direct Construction Cost	\$ 1,225,603.24
Direct Construction Budget	\$ 1,401,000.00

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

- Final erosion control features and supporting operations for the Project detour road facilitating the road closure during construction.
- Foundation of the embankment fills and associated features in response to existing slope conditions encountered in the field.
- Changes to the geogrid detail in the embankment fill and the associated production losses; changing the material of the Midwest Guardrail System from wood posts to steel posts; changes to the grinding and paving details; and, changes to the concrete ditch detail.

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

The Board approved the Project for advertisement of bids on June 5, 2018, Item 30, Legistar 18-0777.

## 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, Legistar 18-0616), and funded by local and State discretionary funds, with offsetting reimbursement anticipated from FEMA and the California Office of Emergency Services. 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, Fairlane Engineering, Attention: Matt Smeltzer.
- 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