



Legislation Text

File #: 22-0425, **Version:** 1

Department of Transportation recommending the Board consider the following:

- 1) Accept the road improvements for North Silver Dove Way, TM 00-1371-R / TM 00-1371-E, as complete;
- 2) Reduce Performance Bond EACX137000127 from \$1,488,156.77 to \$148,815.68, which is ten percent of the total cost of the road improvements, an amount which guarantees against any defective work, labor done, or defective materials furnished, and is to be released after one year if no claims are made;
- 3) Hold Laborers & Materialmens Bond EACX137000127 in the amount of \$1,488,156.77 for six months to guarantee payments to persons furnishing labor, materials, or equipment; and
- 4) Authorize the Clerk of the Board to release the respective Bonds after the required time periods upon written request by the Department.

FUNDING: Developer Funded.

DISCUSSION / BACKGROUND

On May 22, 2018 (Item 21, Legistar 18-0540), the Board approved the Offsite Road Improvement Agreement (RIA) for North Silver Dove Way (Project), #18-54823, with Lennar Winncrest, LLC (Developer). The RIA defined the obligations of the Developer for the performance of the work within the County Right of Way. The RIA set forth the terms and conditions for the construction of the offsite improvements and allowed the Developer to improve North Silver Dove Way, in accordance with approved plans, at its intersection with Bass Lake Road.

On November 10, 2020 (Item 27, Legistar 20-1083), the Board approved Amendment 1 to the RIA, extending the performance period to May 21, 2021. On May 4, 2021 (Item 21, Legistar 21-0350), the Board approved Amendment 2 to the RIA, extending the performance period to May 21, 2022.

The road improvements for the Project have been inspected by the Department of Transportation (Transportation) and were found to be complete in accordance with the approved plans, specifications and requirements of the RIA.

ALTERNATIVES

None; when the Owner/Developer completes all improvements and the County inspects and approves those improvements, the County is then obligated to approve reduction of the Bonds, if necessary, and initiate the warranty period.

PRIOR BOARD ACTION

Outlined in the Discussion / Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

The requested Board action has no associated fiscal impact or change to Net County Cost.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will reduce Performance Bond EACX137000127 from \$1,488,156.77 to \$148,815.68 and advise Transportation (attn.: Lindsay Tallman) and the Bonded Owner, Lennar Winncrest, LLC, Attn: Sean MacDiarmid, 1025 Creekside Ridge Drive, Suite 240, Roseville, California 95678, that it has been reduced.
- 2) The Clerk of the Board will hold Laborers & Materialmens Bond EACX137000127 in the amount of \$1,488,156.77 for six (6) months. If no claims have been filed, Transportation will request in writing that the Clerk of the Board release said Bond.

STRATEGIC PLAN COMPONENT

Infrastructure improvements are a vital component in the County's ability to accommodate economic growth and provide safe roads for the residents of El Dorado County and the traveling public.

CONTACT

Rafael Martinez, Director
Department of Transportation