



## Legislation Text

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**File #:** 20-1200, **Version:** 1

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Department of Transportation recommending the Board approve and authorize the Chair to sign Agreement 20-54962 with The Spanos Corporation entitled "Traffic Signal Warranty and Indemnification Agreement" pertaining to the construction of a traffic signal in conjunction with the El Dorado Hills Apartments Project with a term extending one (1) year past the completion of the project.

**FUNDING:** Developer funded.

### **DISCUSSION / BACKGROUND**

On February 13, 2018 (Item 31, 18-0193), the Board of Supervisors approved the El Dorado Hills Apartments project (File Nose. A16-0001/Z16-0004/SP86-0002-R-3/PD94-0004R-3) ("Project"), a 214-unit apartment complex to be constructed by The Spanos Corporation ("Developer"). Per the Project's Conditions of Approval, section 14, the developers must "[e]nter into an agreement with County outlining obligations, rights and terms for operations and maintenance of the traffic signal at Town Center Blvd / Post Street". The intersection improvements are substantially completed and to fulfill this condition, the Department seeks to enter into Agreement #20-54962 ("Agreement") with the Developer, effective immediately and terminating one year after the issuance of a Notice of Completion. The Agreement concerns the warranty of the construction and indemnification of the County for installation of a traffic signal at Post Street and Town Center Boulevard, the operation and timing of which has the potential to impact traffic flow on Latrobe Road. Ongoing maintenance after the outlined one-year warranty period is being assumed by the El Dorado Hills Town Center East Owner's Association in a separate agreement, to be brought to the Board independently.

### **ALTERNATIVES**

None. This agreement is required by the Conditions of Approval. The Certificate of Occupancy for the Apartments cannot be issued until it is in place and construction of the signal improvements are complete.

### **PRIOR BOARD ACTION**

Outlined in Discussion section above.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Procurement & Contracts and County Counsel have reviewed this agreement.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no fiscal impact to this agreement, as it outlines the responsibilities of the relevant parties rather than contracting a firm to perform tasks on behalf of the County. The Developer is responsible for all construction costs outlined in the agreement.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) original copies of the Agreement.
- 2) The Clerk of the Board will forward one (1) fully executed original copy of the Agreement to the Department of Transportation, attention Lindsay Tallman, for further processing.

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

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