



Legislation Text

File #: 17-0055, **Version:** 2

Community Development Agency, Transportation Division, recommending the Board consider and take the following action pertaining to the Ice House at Jones Fork Silver Creek Bridge Maintenance Project, Contract PW 16-31122, CIP 77131, P&C 027-C1799:

- 1) Award the Construction Contract to the lowest responsive, responsible bidder; said bidder to be determined after the bid opening scheduled for April 5, 2017;
- 2) Approve and authorize the Chair to sign the Construction Contract, subject to final review and approval by County Counsel and Risk Management; and
- 3) Authorize the Community Development Agency Director to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds.

FUNDING: Highway Bridge Program (88.5% - Federal) and Sacramento Municipal Utility District Upper American River Project Cooperative Agreement (11.5% - Local).

DEPARTMENT RECOMMENDATION

Award and Sign Construction Contract with Lowest Responsive, Responsible Bidder:

In order to move forward in an expeditious manner, this item has been prepared prior to receipt of bids. Community Development Agency (CDA), Transportation Division (Transportation), will receive sealed bids for the Ice House at Jones Fork Silver Creek Bridge Maintenance Project (Project) on Wednesday, April 5, 2017, at 2:00 p.m. Transportation will open and read all bids received at that time in conformance with contract bidding requirements. When the bids results become available, the bid summary showing preliminary bid results will be provided to the Board Clerk for attaching to this item.

After Transportation reviews the bids and after the ten-day bid protest period, Transportation will prepare a recommendation to the Board regarding the award of the Construction Contract to the lowest responsive, responsible bidder. Transportation intends to provide the Board with a hard copy recommendation for award at least one day prior to the April 25, 2017, Board meeting. If there is a substantive issue with the responsiveness of the apparent low bidder's bid, or if there is a bid protest, Transportation may ask that this item be continued to a subsequent Board meeting.

Authorize the Community Development Agency Director to Sign Escrow Agreement:

Pursuant to Special Provisions Section 9-1.16F, "Retentions," Transportation will retain 5% of the value of work done from each Contractor payment (excluding mobilization payments) as security for the fulfillment of the Contract. Alternatively, Public Contract Code (PCC) Section 22300 provides that the Contractor may request that payment of retentions earned be made directly to an Escrow Agent. The Contractor will receive the interest earned on the investment.

In accordance with these provisions, the Contractor may request in writing that the County make payment of retention funds directly into an Escrow Account, which would necessitate an Escrow Agreement. To help expedite this process, if requested by the Contractor, Transportation requests

that the Board authorize the CDA Director to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the CDA Director, the Contractor will receive incremental releases from the Escrow Agent paid into the Escrow Account and any interest earned thereon. A portion of the retention and interest will be retained in the Escrow Account until thirty-five days after the recordation of the Notice of Acceptance of the Contract at which time, upon written notification from the CDA Director, these funds will be released to the Contractor.

Contract Change Orders (CCOs):

In any contract there is a need to be able to make changes and the CCO process facilitates the ability to make necessary changes when needed within a contract. With construction contracts, there is an expectation that unanticipated changes will be encountered once construction begins. To prepare for this, a 10% contingency budget is set aside. PCC Section 20142 and County Resolution 102-2012 authorize the CDA Director to execute individual CCOs, the maximum value of which is based on the original contract amount with a not-to-exceed limit. This authority is also for a cumulative total of Contingency CCOs not to exceed 10% of the original Contract value.

DISCUSSION / BACKGROUND

This Project consists of installation of approach slabs, repair and replacement of abutment joints, replacement of the bridge bearings, installation of Midwest Guardrail Systems and terminal systems, and miscellaneous striping.

Due to federal funding, both California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance is required. A CEQA Notice of Exemption was filed on January 21, 2014. A California Department of Transportation NEPA Categorical Exclusion Determination was issued on January 15, 2014.

Due to the nature of the work, no environmental permits, right of way, or utility coordination are required for this Project.

Transportation received federal funding authorization, an E-76, for construction phase activities on February 10, 2017.

As a federally funded project, the Contract Documents have been federalized and incorporate the current Caltrans Disadvantaged Business Enterprise (DBE) requirements. The DBE goal is 11%.

ALTERNATIVES

- 1) Do not award the contract and direct Transportation to re-advertise for construction bids.
- 2) Cancel the Project. Note: The Board has previously approved the Project and canceling may include the consequence of reimbursing all grant funding received to date.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Risk Management have reviewed and approved the Contract Documents.

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 Engineer's Estimate for the construction phase of the Project is \$825,000, which includes an estimated bid of \$683,050; construction management, survey, materials testing, and design support during construction totaling \$102,457; and combined supplemental and contingency at \$39,493.

Funding for this Project is budgeted in the adopted 2016 Capital Improvement Program with a construction phase budget of \$825,000, provided by the Highway Bridge Program and Sacramento Municipal Utility District Upper American River Project Cooperative Agreement.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Upon approval by County Counsel and Risk Management, Transportation will forward the Construction Contract, together with the required bonds and insurance, and the approved Contract Routing Sheet, to the Clerk for the Chair's signature.
- 2) The Clerk will forward the fully executed Construction Contract to the Community Development Agency, Contracts and Procurement Unit, for further processing.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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