



## Legislation Text

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**File #:** 19-0603, **Version:** 1

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Department of Transportation recommending the Board:

- 1) Accept the constructed improvements for the Mercy Housing Sunset Lane Apartments Project, CG 204912, as complete as of October 3, 2018;
- 2) Reduce Performance Bond CMS0243260 from \$171,101.95 to \$17,110.19, which is ten percent of the total cost of the road improvements; this amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one year if no claims are made;
- 3) Authorize the Clerk of the Board to release Laborer and Materialmens Bond CMS0243260 in the amount of \$171,101.95 upon written request from the Department of Transportation; and
- 4) Authorize the Clerk of the Board to release the Performance Bond after the required time period upon written request from the Department of Transportation.

**FUNDING:** Developer Funded.

### **DISCUSSION / BACKGROUND**

On January 5, 2016 (Item 21), the Board approved the Road Improvement Agreement for Mercy Housing Sunset Lane Apartments, Offsite Improvements AGMT 13-53705 with Mercy Housing California 55 (Developer).

On April 2, 2019 (Item 28) the Board approved the first amendment to the Offsite Road Improvement Agreement (RIA) for the Project with Developer to extend the performance period to January 4, 2020.

All road restoration work was completed in September 2018. The road improvements for the Project were 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 as of October 3, 2018.

### **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**

See Discussion / Background section above.

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

N/A

### **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

### **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 CMS0243260 to \$17,110.19 and advise Transportation (Julie Millard) and the Developer, Mercy Housing California 55, Attn: Jeff Riley, 3120 Freeboard Drive, Suite 202, West Sacramento, CA 95691, it has been reduced.
- 2) The Clerk of the Board will release Laborers & Materialmens Bond CMS0243260 upon written request from Transportation.

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

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Department of Transportation