



Legislation Text

File #: 09-0673, **Version:** 2

Department of Transportation recommending the following pertaining to the Walgreens at Cameron Park Drive Project:

- 1) Accept the constructed improvements at the intersection of Cameron Park Drive and Palmer Drive as complete;
- 2) Reduce Performance Bond No. 1034222 from \$172,908.96 to \$17,290.90 to guarantee against defective work, labor done or defective materials furnished and released after one year if no claims are made; and
- 3) Hold Laborers and Materialmens Bond No. 1034222 in the amount of \$172,908.96 to guarantee payment to persons furnishing labor, materials or equipment and released in six months, if no claims are filed.

FUNDING: Developer, Interra-Vision (Cameron Park), LLC.

Fiscal Impact/Change to Net County Cost

There is no cost to the County General Fund.

Background

On August 25, 2009, the Board of Supervisors approved Road Improvement Agreement (RIA) # AGMT 08-1655 between the County and Interra-Vision, LLC. Under the Findings/Conditions of Approval for the Walgreens at Cameron Park Drive Project (#PD06-0026/P87-011R), the Developer was required to improve the frontage along the east side of Cameron Park Drive, matching existing improvements along the north side of Palmer Drive. The roadway improvements included a right-turn lane; a new encroachment into the Project; an acceleration lane exiting the site; sidewalk; and re-striping.

Reason for Recommendation

The road improvements for the Project have been inspected by the Department of Transportation (Department) and were found to be complete in accordance with the approved plans, specifications and requirements of the aforementioned RIA. Therefore, the Department is recommending proceeding with the warranty period in accordance with Section 4 "Warranty" of the RIA for the Project with the following actions:

Reduce the Performance Bond No. 1034222 in the amount of \$172,908.96 by 90%, which is \$155,618.06, leaving a balance of \$17,290.90. The 10% balance will be held for the one year warranty period to guarantee against any claims that may arise from defective work, labor done or defective materials furnished.

Hold the Laborer and Materialmens Bond No. 1034222 in the amount of \$172,908.96 for six months of the warranty period to guarantee payment to persons furnishing labor, materials or equipment. If no claims are made, the Department will request the Clerk of the Board release the Laborers and Materialmens Bond at the end of six months.

Action(s) to be taken following Board approval

1. The Clerk of the Board will:

A. Reduce Performance Bond No. 1034222 by \$155,618.06, leaving a balance of \$17,290.90 and advise Interra-Vision, LLC of this action; and,

B. Hold Laborers and Materialmens Bond No. 1034222 in the amount of \$172,908.96.

2. The Department will request the Clerk of the Board release the Laborers and Materialmens Bond No. 1034222 after six months, if there are no claims filed for payment of labor, materials or equipment associated with this Project.

3. The Department will request the Clerk of the Board release the Performance Bond No. 1034222 after one year, if the warranty work, if any, has been accepted by the Department and no claims are made.

Contact

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Concurrences

None