



# County of El Dorado

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## Legislation Text

File #: 08-0250, Version: 1

Transportation Department recommending the following pertaining to the Apalachee Phase 3B Erosion Control Project 95183:

- (1) Approve the Plans and Contract Documents and authorize the Chairman to sign the Plans for same;
- (2) Authorize advertisement for construction bids; and
- (3) Authorize the Director of said Department to sign an Escrow Agreement, if needed.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** United States Forest Service, United States Bureau of Reclamation and California Tahoe Conservancy Grant Funds

<b>BUDGET SUMMARY:</b>		
Total Estimated Cost		\$2,081,419
Funding		
Budgeted	\$	
New Funding	\$	
Savings	\$	
Other*	\$ 2,081,419	
Total Funding Available	\$ 2,081,419	
Change To Net County Cost		\$0.00

\* The adopted 2008 Five-Year CIP assumed that this project would be constructed during FY 07-08 and FY 08-09 and the current year budget and proposed FY 08-09 budget reflect this timing. It is now projected that the entire cost for this project will be incurred during FY 08-09 such that an adjustment will be required to reflect this change in timing.

### Fiscal Impact/Change to Net County Cost:

There is no Fiscal Impact associated with this agenda item as the Board will not be obligating the County with the current requested action. The obligation will come with the subsequent action of awarding the bid. There is no Net County Cost. Funding for the Apalachee Phase 3B Erosion Control Project (Phase 3B Project) will be provided from the United States Forest Service, the United States Bureau of Reclamation and the California Tahoe Conservancy.

### Reason for Recommendation:

The Phase 3B Project area is located in eastern El Dorado County, in the Tahoe Basin, east of U.S. Highway 50 and west of Pioneer Trail. The Phase 3B Project area is generally bounded by Pioneer Trail to the southeast, Trout Creek to the east, and the Upper Truckee River and the rescinded

Caltrans highway corridor to the west. The Phase 3B Project area includes Tahoe Paradise Additions Nos. 2, 4, and 5.

Due to the large size and cost of constructing the Phase 3B Project, the area has been subdivided into two bid schedules (Schedule A and Schedule B). The Phase 3B Project will be bid as a Base Bid (Schedule A) and Additive Alternative Bid (Schedule B) under a single contract.

- A. Base Bid (Schedule A) consists of construction of erosion control improvements including tree removal, curb and gutter with tie-in pavement, sediment traps, drainage inlets, culverts, headwalls, rock-lined channels, and infiltration trenches. These improvements are proposed for construction on the following streets: Susquehana Dr., Nadowa St., Tooch St., and Jicarilla Dr.
- B. Additive Alternative Bid (Schedule B) consists of construction of erosion control improvements including curb and gutter with tie-in pavement, sediment traps, drainage inlets, culverts, rock-lined channels, and infiltration trenches. These improvements are proposed for construction on the following streets: Pioneer Trail, Susquehana Dr., Jicarilla Dr., Aravaipa St., and Muskwaki Dr.

1) Approve the Plans and Contract Documents; Authorize the Board Chairman to Sign the Plans:

In order to complete the construction of the Phase 3B Project during this construction season, the Transportation Department (Department) requests the Board approve the Plans and Contract Documents and authorize the Chairman to sign the Plans. The Plans, Contract Documents, and Plan Cover Sheet for the Board Chairman's signature are filed with the Board Clerk. Because of the large volume of the Plans and Contract Documents, the Department has elected not to include these documents in the agenda packet.

2) Authorize Advertisement for Construction Bids:

At the May 21, 1996 Board meeting, the Board authorized the Department to advertise for erosion control construction bids with bid openings at the Department's Tahoe Engineering Division (TED) office until such time as the Board rescinds said authorization.

The Phase 3B Project is a Lake Tahoe Environmental Improvement Program (EIP) project and is consistent with the County's objectives related to improving and restoring the Lake Tahoe environment. Therefore, the Department is seeking the Board's permission to advertise for Phase 3B Project construction bids with the bids to be opened at the TED office at 924B Emerald Bay Road in South Lake Tahoe on Friday, May 23, 2008.

The Department will proceed with the bid process and return to the Board for consideration to award the construction contract, pursuant to the Department's recommendation. The Department anticipates scheduling the construction contract award for the June 3, 2008 Board meeting.

3) Authorize the Director of Transportation to sign an Escrow Agreement:

Pursuant to Special Provisions Section 5-1.15, "Payments," of the Contract Documents and the State of California Standard Specifications Section 9-1.06, "Partial Payments," the County shall retain 10 percent of the value of work done from each Contractor payment as security for the fulfillment of the contract. Alternatively, pursuant to the State of California Standard Specifications Section 9-1.065, "Payments of Withheld Funds," and pursuant to Public Contract Code Section 22300, the Contractor may request that payment of retentions earned be made directly to an Escrow Agent. The Contractor

shall 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, the Department requests that the Board authorize the Director of Transportation to execute the Escrow Agreement. Upon satisfactory completion of the Contract and upon written notification from the Director of Transportation, the Contractor shall receive from the Escrow Agent all retention paid into the account and any interest earned thereon.

Action to be taken following Board approval:

- 1) The Board Clerk will obtain the Chairman's signature on the Plans and return them to the Department.
- 2) Upon approval, the Department will advertise for construction bids and open bids on May 23, 2008 at the TED office at 924B Emerald Bay Road in South Lake Tahoe.
- 3) The Department will forward a recommendation of award for the Board's consideration under a separate agenda item, anticipated for the June 3, 2008 Board meeting.
- 4) Upon approval of the recommendation, the Director of Transportation will sign the Escrow Agreement, if needed. The Department will make retention payments to the Escrow Agent. After satisfactory completion of the Contract, the Director of Transportation will make written notification to the Escrow Agent. All retention paid into and interest earned in the escrow account will be released to the Contractor.

Contact:

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Director of Transportation

Concurrences: Approved by County Counsel and Risk Management