



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 13-0707 **Version:** 1

**Type:** Agreement **Status:** Approved

**File created:** 6/5/2013 **In control:** Board of Supervisors

**On agenda:** 8/20/2013 **Final action:** 8/20/2013

**Title:** Community Development Agency, Administration and Finance Division, recommending the Board consider the following:

- 1) Authorize the Chair to execute Agreement for Road Zone Maintenance Services No. 134-S1411 with Doug Veerkamp General Engineering, Inc. in an amount of \$86,889 for a term of forty-five (45) working days to provide road maintenance and improvement services at the Arrowbee Estates Road Zone of Benefit 98201 located in the Lotus-Luneman area of County Service Area No. 2;
- 2) Authorize the Acting Director of the Community Development Agency to sign the Notice of Acceptance upon completion of the project, and
- 3) Authorize the Clerk of the Board to release the Payment and Performance bonds at the end of the one year guarantee period.

**FUNDING:** Arrowbee Estates Road Zone of Benefit Assessment Fees.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A-Contract Routing Sheet 08-20-13.pdf, 2. B-Contract 08-20-13.pdf, 3. C-Payment Bond 08-20-13.pdf, 4. D-Performance Bond 08-20-13.pdf, 5. Fully executed NOA 8-20-13 No. 6.pdf

Date	Ver.	Action By	Action	Result
8/20/2013	1	Board of Supervisors	Approved	Pass

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**FUNDING:** Arrowbee Estates Road Zone of Benefit Assessment Fees.

<b>BUDGET SUMMARY:</b>	
Total Estimated Cost.....	\$ 86,889.00
Budgeted.....	86,889.00
New Funding.....	
Savings.....	
Other.....	

Total Funding Available.....	86,889.00
Change To Net County Cost.....	\$ 0.00

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

Funding for services under Agreement for Road Zone Maintenance Services No. 134-S1411 will be provided by the benefit assessments for the Arrowbee Estates Road Zone of Benefit. There will be no cost to the General Fund or the Road Fund.

### **Reason for Recommendation**

The Community Development Agency (CDA) Administration and Finance Division is responsible for administration of 106 zones of benefit in the County, including five previously administered by the Environmental Management Department, and 101 previously administered by the Department of Transportation. Thirty-two of the zones were formed for maintenance of roads that have not been accepted into the County Maintained Mileage System. Road maintenance work is performed by contractors and not by County forces in these zones.

In an effort to increase efficiency and reduce costs to these road zones of benefit, Department of Transportation staff requested direction from County Counsel regarding bidding and contracting processes for routine road maintenance in these types of zones. After review of the zone of benefit work program and the types of work commonly performed, Counsel advised that much of this work meets the definition of "maintenance" which is not subject to the requirements of the Public Contract Code, but is instead subject to the County's general procurement procedures.

Based on County Counsel's guidance, Department of Transportation zone of benefit administration staff established procedures for review of projects proposed by zone of benefit advisory committees, which procedures are continued by Community Development Agency Administration and Finance Division staff. Where a project is a combination of public work and maintenance, the overall character of the work is considered in determining if the project will be bid in accordance with the Public Contract Code or completed through negotiated contract under the provisions of the Purchasing Ordinance. Zone of benefit advisory committees are required to obtain three quotes for maintenance work to ensure competitive pricing.

Prior to soliciting quotes, the advisory committee for the Arrowbee Estates Road Zone of Benefit submitted a work plan and project cost estimate the CDA Administration and Finance Division for the work included in the Agreement submitted here for the Board's consideration. Staff's review of the work plan and project cost estimate confirmed that the maintenance portion of the work, crack sealing, pot hole repairs, asphalt blanket patching, and double application of chip seal, with and without paving fabric comprised approximately eighty-two percent (82%) of the total work, and the public portion of the work, ditch remodel with placement of rock slope protection for erosion control, grading, placing and compacting aggregate base, comprised the remaining eighteen percent (18%) of the work.

The proposal submitted by Doug Veerkamp General Engineering, Inc. for the work under this Agreement was consistent with the Advisory Committee's estimate with \$70,918 for the maintenance work, and \$15,971 for the public work.

County staff does not perform work on zone of benefit roads that are not included in the County

Maintained Mileage System; therefore, notification to the El Dorado County employee bargaining units of the Agreement is not necessary.

Community Development Agency Administration and Finance Division staff requests the Board authorize the Acting Director of the Community Development Agency to sign the Notice of Acceptance upon verification that the work has been satisfactorily completed according to the terms of the Agreement. Recording of the Notice of Acceptance will start the legal time frames for guarantees and start the one-year time frame for releasing the payment and performance bonds to the surety. Delegated authority for acceptance will allow the Notice of Acceptance to be recorded sooner after the work is completed, establishing a more accurate time frame and providing more efficient, less costly processing to the zone of benefit.

**Action(s) to be taken following Board approval**

- 1) The Board Chair will sign two originals of the Agreement for Road Zone Maintenance Services No. 134-S1411; and
- 2) The Clerk of the Board will forward one original of the fully executed Agreement to the Community Development Agency, Administration and Finance Division for further processing;

Action to be taken by the Community Development Agency Administration and Finance Division following Board Approval:

- 1) Administration and Finance Division staff will verify the work has been satisfactorily completed, and prepare the Notice of Acceptance;
- 2) The Acting Director of the Community Development Agency Acting Director will sign the Notice of Acceptance;
- 3) Administration and Finance Division staff will send the Notice of Acceptance to the Recorder/Clerk's office for recordation within ten (10) days;
- 4) One year after the recordation of the Notice of Acceptance, the Administration and Finance Division will verify that all warranty work, if any, has been satisfactorily completed and will notify the Clerk of the Board in writing to release the Bonds.

**Contact**

Kim Kerr, Acting Director  
Community Development Agency

**Concurrences**

County Counsel  
Risk Management