



Legislation Details (With Text)

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File created: 12/5/2017 **In control:** Board of Supervisors

On agenda: 1/23/2018 **Final action:** 1/23/2018

Title: Community Development Services, Department of Transportation, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with MKD Construction, Inc., for the Evelyn Road Culvert and Road Repair Project, Contract PW 17-31181, CIP 78721, P&C 242-C1899; and
- 2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department of Transportation, after the one-year guarantee period.

FUNDING: Local and State discretionary funding initially (100%), with Transportation staff working with the Federal Emergency Management Agency and the California Office of Emergency Services to obtain reimbursement of up to 93.75% of total project costs. (Local/State/Federal)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Notice of Acceptance 1-23-18, 2. B - Recorders Form 1-23-18, 3. Recorded Notice of Acceptance

Date	Ver.	Action By	Action	Result
1/23/2018	1	Board of Supervisors	Approved	Pass

Community Development Services, Department of Transportation, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with MKD Construction, Inc., for the Evelyn Road Culvert and Road Repair Project, Contract PW 17-31181, CIP 78721, P&C 242-C1899; and
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DEPARTMENT RECOMMENDATION

Community Development Services (CDS), Department of Transportation (Transportation), recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance (NOA) with MKD Construction, Inc., for the Evelyn Road Culvert and Road Repair Project (Project), Contract PW 17-31181, Capital Improvement Program (CIP) 78721, P&C 242-C1899; and
- 2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from Transportation, after the one-year guarantee period.

DISCUSSION / BACKGROUND

The bid for this Project was awarded to MKD Construction, Inc. (Contractor), with the Construction Contract approved by the Chief Administrative Officer and the Interim Transportation Director, and signed by the Chair as authorized by the Board on September 12, 2017 (Item 32). The repaired roadway was opened to motorists on October 31, 2017.

Transportation has inspected the work and deems the work to be substantially complete. Recordation of the NOA will start legal time frames for guarantees, a lien period, and return of retention monies. Recordation of the NOA will also start the one-year time frame for releasing the Payment and Performance Bonds to the Surety.

Direct Construction Cost Summary:

Original Bid Price	\$229,697.00
Contract Item Cost	\$234,868.80
Contract Change Order Cost	\$ 3,702.40
Total Direct Construction Cost	\$238,571.20
Direct Construction Budget	\$252,667.00

Major Contract Change Orders on the Project dealt with the following:

- Additional work to remove and replace unsuitable subgrade material.

The final costs listed are estimates. Transportation will be closing out the Project with the Contractor and finalizing costs over the coming weeks. Any significant deviations from the estimates above that exceed Transportation's allocated authority will be brought back to the Board for review and approval in a subsequent agenda item.

ALTERNATIVES

The Board could choose not to approve the NOA. Transportation staff would make modifications as directed by the Board and return for Board approval of the NOA. This would delay the release of the payment and performance bonds and extend the Contractor's warranty period, and it could delay Federal and State reimbursement of Project costs.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

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. Funding for the Project is provided by local and State discretionary funds, with possible reimbursement by the Federal Emergency Management Agency (75% - Federal) and the California Office of Emergency Services (18.75% - State). The remaining 6.25% will be covered by local and State discretionary funds. The anticipated direct construction cost is less than the direct construction budget established by the Board.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1) Clerk of the Board will obtain the Chair's signature on the one (1) original copy of the NOA.

2) Clerk of the Board will send the fully executed original copy of the NOA to the Recorder/Clerk's Office for recordation within ten (10) days, and forward a copy of the recorded NOA to CDS Transportation, Headington Engineering, attention of John Kahling.

3) One (1) year after the recordation of the NOA, Transportation 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 Payment and Performance Bonds.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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Community Development Services, Department of Transportation