



## Legislation Details (With Text)

**File #:** 18-0037 **Version:** 1

**Type:** Agenda Item **Status:** Approved

**File created:** 12/27/2017 **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 Vinciguerra Construction, for the US 50/Missouri Flat Road Interchange - Phase 1B.2 Project, Contract PW 16-31149, CIP 71359, P&C 034-C1799; 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:** Congestion Mitigation and Air Quality (49% - Federal) and Master Circulation & Funding Plan Financing (51% - Local).

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Notice of Acceptance & Recorder's Form, 2. 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 Vinciguerra Construction, for the US 50/Missouri Flat Road Interchange - Phase 1B.2 Project, Contract PW 16-31149, CIP 71359, P&C 034-C1799; 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:** Congestion Mitigation and Air Quality (49% - Federal) and Master Circulation & Funding Plan Financing (51% - Local).

### 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 Vinciguerra Construction, for the US 50/Missouri Flat Road Interchange - Phase 1B.2 Project (Project), Contract PW 16-31149, Capital Improvement Program (CIP) Project 71359, P&C 034-C1799; 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.

### DISCUSSION / BACKGROUND

The bid for the Project was awarded to Vinciguerra Construction (Contractor), with the Construction Contract approved by the Board on February 28, 2017 (Item 21). The bike path was open for public use on December 11, 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	\$1,298,579.80
Contract Item Cost	\$1,221,973.91
Contract Change Order Cost	\$ 120,000.00
Total Direct Construction Cost	\$1,341,973.91
Direct Construction Budget	\$1,467,046.41

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

- Bid item extensions and adjustments;
- Reconstruction of the Americans with Disabilities Act ramps; and
- Mitigation of an existing electrical service.

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.

#### **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. The Project is budgeted in Transportation's 2017 CIP, which was approved by the Board on June 27, 2017 (Item 25). 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