



Legislation Details (With Text)

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File created: 12/4/2018 **In control:** Board of Supervisors

On agenda: 2/12/2019 **Final action:** 2/12/2019

Title: 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 Francisco Drive Americans with Disabilities Act Improvements Project, Contract PW 18-31218, CIP 71363/36105051, Contract 2773; 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: Regional Surface Transportation Program - Urban Surface Transportation Block Grant Program (76%) and Regional Surface Transportation Program Exchange Funds - Caltrans (24%). (Federal Funds)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Notice of Acceptance, 2. Recorded Notice of Acceptance

Date	Ver.	Action By	Action	Result
2/12/2019	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

The contract for the Project was approved by the Board on June 12, 2018, Item 46, Legistar 18-0760, and the contractor began construction on July 9, 2018. During construction, several adjustments were made which increased the minor concrete and asphalt concrete contract items by an additional \$23,806, which is within the contract bid item authority. These adjustments included replacement of cracked sidewalk adjacent to the school, and increasing the roadway asphalt overlay thickness to increase performance and life expectancy of the pavement section at the intersection of Francisco and Schooner Drives. The Contract Change Orders did not exceed the authorized 10% contingency amount (please see below for the list of contract change order items).

Construction was completed on September 14, 2018. 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 Contract Amount	\$ 288,888.00
Final Contract Items Amount	\$ 312,693.75
<u>Total Contract Change Orders</u>	<u>\$ 27,537.00</u>
Total Direct Construction	\$ 340,230.75

Major Contract Change Orders on the Project include the following:

- Increased quantity of detectable warning surface.
- Repair and relocation work to existing irrigation lines and sprinklers within the landscaping areas.
- Adding a tubular hand railing at the northeast sidewalk ramp.

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.

PRIOR BOARD ACTION

The Board approved the Project for advertisement of bids on April 24, 2018, Item 21, Legistar 18-0505.

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 2018 CIP, which was approved by the Board on June 26, 2018, Item 61, Legistar 18-0616, and funded by Regional Surface Transportation Program - Urban Surface Transportation Block Grant Program and Regional Surface Transportation Program Exchange Funds - Caltrans.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original of the NOA.
- 2) The Clerk of the Board will send the fully executed original of the NOA to the Recorder/Clerk's Office for recordation within ten (10) days, and forward a copy of the recorded NOA to Transportation, Fairlane Engineering, Attention: Matt Smeltzer.
- 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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Department of Transportation