



## Legislation Details (With Text)

**File #:** 21-1679      **Version:** 1

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

**File created:** 10/13/2021      **In control:** Board of Supervisors

**On agenda:** 11/16/2021      **Final action:** 11/16/2021

**Title:** Department of Transportation recommending the Board consider the following:  
 1) Approve and authorize the Chair to sign the Notice of Acceptance with Tim Paxin's Pacific Excavation, Inc., for the Industrial Drive/ Missouri Flat Road Temporary Signal Project, Contract 4455, Capital Improvement Program project number 73366/36105053; 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:** General Fund/Discretionary - Accumulative Capital Outlay (36%), General Fund (52%) and Tribe Funds (12%). (Local Funds)

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
11/16/2021	1	Board of Supervisors	Approved	Pass

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**DISCUSSION / BACKGROUND**

The contract for the Industrial Drive/ Missouri Flat Road Temporary Signal Project (Project) was approved by the Board to delegate to the Director of Transportation to award the construction contract on December 10, 2019 (Legistar 19-1730, Item 30). Construction of the Sheriff's new Safety Facility requires installation of a traffic signal at the Industrial Drive/Missouri Flat Road intersection to accommodate traffic utilizing the facility. The interim traffic signal included installation of temporary poles, suspension cables, and traffic signals that can be installed with the existing through and left-turn lanes and the utilities in place. This interim phase will provide temporary traffic circulation improvements until the final phase of the Project can be constructed.

All roadway repairs were completed by June 30, 2021. Recordation of the Notice of Acceptance (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	\$ 248,026.00
Contract Item Cost	\$ 250,581.60
Contract Change Order Cost	\$ 65,126.49
Total Direct Construction Cost	\$ 315,708.09
Direct Construction Budget (includes permanent signal)	\$1,709,000.00

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

- Removing and replacing a water meter box and installing a median curb.
- Purchasing of the temporary signal system components.
- Repair of the temporary signal system due to a collision in which Transportation is seeking reimbursement of these expenses from the insurance company.

The final costs listed have been reviewed and agreed in writing by the Contractor. Transportation will be closing out the Project with the Contractor 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.

**PRIOR BOARD ACTION**

The Board approved CCO 3 on June 22, 2021, Legistar 21-0882, Item 26.  
The Board approved CCO 4 on August 31, 2021, Legistar 21-1420, Item 30.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

**CAO RECOMMENDATION**

Approve as recommended.

**FINANCIAL IMPACT**

At their April 20, 2018 meeting, the Board directed that the Project be funded through \$750,000 from the Public Safety Facility Budget (ACO Fund), \$1,241,000 Sheriff Contribution (General Fund), and \$159,000 in Tribe Funds, and that funding be utilized in that order (Legistar Item 18-0596). Total funding for the Project was approved by the Board on June 9, 2020, Legistar 20-0675, Item 54. The total budget for the temporary signal construction phase is \$302,000.

**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