



## Legislation Details (With Text)

**File #:** 21-1825      **Version:** 1

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

**File created:** 11/5/2021      **In control:** Board of Supervisors

**On agenda:** 12/7/2021      **Final action:** 12/7/2021

**Title:** Department of Transportation recommending the Board consider the following:  
 1) Approve and authorize the Chair to sign the Notice of Acceptance with Rapid Construction, Inc. for the Country Club Heights Erosion Control Project - Phase III, Capital Improvement Program 36107009, Contract 5408; 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:** Funding for Phase III work is as follows: United States Forest Service (28% - Federal), California Tahoe Conservancy (60% - State), and Tahoe Regional Planning Agency - Water Quality/Stream Environment Zone Mitigation (12% - Local).

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
12/7/2021	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following:  
 1) Approve and authorize the Chair to sign the Notice of Acceptance with Rapid Construction, Inc. for the Country Club Heights Erosion Control Project - Phase III, Capital Improvement Program 36107009, Contract 5408; 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:** Funding for Phase III work is as follows: United States Forest Service (28% - Federal), California Tahoe Conservancy (60% - State), and Tahoe Regional Planning Agency - Water Quality/Stream Environment Zone Mitigation (12% - Local).

**DISCUSSION / BACKGROUND**

The contract for the Country Club Heights Erosion Control Project - Phase III (Project) was approved by the Board on June 8, 2021 (Legistar# 21-0583, Item 34). Construction started on August 16, 2021, and construction was completed on October 21, 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      \$567,765.40

Contract Item Cost	\$560,934.10
Contract Change Order Cost	\$10,966.01
Total Direct Construction Cost	\$571,900.11
Direct Construction Budget	\$624,541.94

Major Contract Change Orders (CCO) on the Project dealt with the following:

- Installation of gravel bag berm; and,
- Installation of irrigation system.

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 for 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**

See Discussion/Background section above.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

### **CAO RECOMMENDATION**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. The Project is included in the 2021 CIP approved by the Board on June 8, 2021, (Legistar #21-0624, Item 54) and funded by Federal and State grant 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) The Clerk of the Board will obtain the Chair's signature on one (1) original copy of the NOA.
- 2) The Clerk of the Board will send the 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, Headington Engineering, Attention: 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**

Rafael Martinez, Director  
Department of Transportation