



## Legislation Details (With Text)

**File #:** 22-0542      **Version:** 1

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

**File created:** 3/14/2022      **In control:** Board of Supervisors

**On agenda:** 5/10/2022      **Final action:** 5/10/2022

**Title:** Department of Transportation recommending the Board consider the following:  
 1) Approve and authorize the Chair to sign the Notice of Acceptance with Granite Construction Company, for the Diamond Springs Parkway - Phase 1A - SR-49 Realignment Project, Capital Improvement Program project number 72375/36104025, Contract 2720; 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:** Tribe Funds (70%), Regional Surface Transportation Program Exchange Funds-EDCTC (11%), Master Circulation and Funding Plan (7%), State Highway Operation and Protection Program (6%), Traffic Impact Mitigation Fees Zone 1-7 (5%), Utility Agencies (<1%), and Road Fund (<1%). (Local and State Funds).

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
5/10/2022	1	Board of Supervisors	Approved	Pass

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**DISCUSSION / BACKGROUND**

The contract for the Diamond Springs Parkway - Phase 1A - SR-49 Realignment Project (Project) was approved by the Board on March 5, 2019 (Legistar 19-0049, Item 12). All roadway repairs were completed by February 8, 2022. Recordation of the NOA will start legal time frames for guarantees, a lien period, and return of retention monies. Recordation of the Notice of Acceptance (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	\$ 9,444,023.08
Contract Item Cost	\$ 8,446,955.52
Contract Change Order Cost	\$ 2,261,177.76
Total Direct Construction Cost	\$ 10,708,133.28
Direct Construction Budget	\$ 10,860,000.00

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

- Flagging costs, signs, and traffic control devices.
- Stockpiling additional materials.
- Drainage changes.
- Extending Lime Kiln Road waterline.
- Wagon View Court adjustments.
- Grind & Resurface Intersection SR-49 - Diamond Springs Pkwy / Pleasant Valley Road / Fowler Lane.
- Water pollution control measures.
- Additional street light poles.
- Subgrade repairs.

The final costs listed have been reviewed and agreed upon in writing by the Contractor. Upon Board approval of the NOA, Transportation will submit the proposed final estimate to Granite Construction Company.

### **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**

On December 18, 2018, Legistar 18-0672, Item 22, the Board approved the Project for advertisement for bids.

### **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 budgeted in Transportation's 2021 CIP, which was approved by the Board on June 8, 2021 (Legistar 21-0624, Item 54), and funded by Tribe Funds, Regional Surface Transportation Program Exchange Funds-EDCTC, Master Circulation and Funding Plan, State Highway Operation and Protection Program, Traffic Impact Mitigation Fees Zone 1-7, Utility Agencies, and Road Fund.

The Diamond Springs project was approved to go out to bid in 2018 and DSP 1A construction bid was awarded in 2019 with the Board's approval to use discretionary Tribe funds as one of the funding sources. For this realignment construction portion of the DSP project, Tribe funds were used to fund the work as contemplated in 2019. On February 9, 2021 (Legistar# 21-0178, Item 32) the Board

decided to remove any further use of Tribe funds for the project. As directed, financing for subsequent project stages has been re-configured to discontinue use of Tribe 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 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: Shanann Findley.
- 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