



## Legislation Details (With Text)

**File #:** 22-1160 **Version:** 1

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

**File created:** 6/21/2022 **In control:** Board of Supervisors

**On agenda:** 7/26/2022 **Final action:** 7/26/2022

**Title:** Department of Transportation recommending the Board take the following actions pertaining to the 2022 DOT Maintenance Pavement Rehabilitation Projects, Contract 6533:  
1) Award the Construction Contract to Doug Veerkamp General Engineering, Inc, the lowest responsive, responsible bidder;  
2) Approve and authorize the Chair to sign the Construction Contract, subject to review and approval by County Counsel and Risk Management; and  
3) Authorize the Director of Transportation to sign an Escrow Agreement, if requested by the Contractor and in accordance with Public Contract Code Section 22300, for the purpose of holding Contract retention funds.

**FUNDING:** Road Repair and Rehabilitation Act 2017 (SB1-RMRA) (90%), Developer Funds (10%).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - BID SUMMARY, 2. Executed Contract 6533

Date	Ver.	Action By	Action	Result
7/26/2022	1	Board of Supervisors	Approved	Pass

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### DISCUSSION / BACKGROUND

The purpose of the 2022 DOT Maintenance Pavement Rehabilitation Projects (Project) is to provide roadway failure repair to designated pavement sections on portions of the following roads in preparation for surface treatments in the 2022 construction season:

- Copper Way
- Cold Creek Trail
- Humboldt Street
- Alice Lake
- Del Norte Street

- Pioneer Trail
- Greenwood Road
- Cash Boy Road
- Crusader Road
- Justine Court
- Justine Avenue
- Capella Drive
- Koki Lane
- Bass Lake Road
- El Dorado Hills Boulevard
- Palamino Court
- Appaloosa Court
- Shadowfax Lane

Work to be performed includes paving approximately 180,894 square feet of asphalt. The Project will also include bringing all existing non-standard curb ramps, within the Project area, up to current standards due to current Americans with Disabilities Act (ADA) requirements and regulations.

Contract working hours will be between the hours of 7:00 am and 7:00 pm Monday through Friday, unless otherwise authorized. Reversing controls will be used during the Project.

All work will be performed within existing County right of way, and no additional right of way is needed. A California Environmental Quality Act Notice of Exemption was filed on April 25, 2022.

The Project was approved for advertisement by the Board on June 14, 2022 (Item 37, Legistar 22-0937).

Award and Sign Construction Contract with Lowest Responsive, Responsible Bidder:

On Wednesday, July 6, 2022 at 2:00 p.m., the Department of Transportation (Transportation), opened bids for the 2022 DOT Maintenance Pavement Rehabilitation Projects (Project). Two bids were received ranging from \$2,095,269.38 to \$2,761,343.50.

Doug Veerkamp General Engineering, Inc. submitted the lowest responsive, responsible bid. Transportation issued an All Bidders Letter on Thursday, July 7, 2022, notifying the bidders of the recommendation to the Board for award of the contract to Doug Veerkamp General Engineering, Inc. and initiating the bid protest period. No bid protests were received. Doug Veerkamp General Engineering's total bid for the project is \$2,095,269.38.

Authorize the Director of Transportation (Director) to Sign Escrow Agreement:

Pursuant to Article 7, "Measurement and Payment" of the Agreement, Transportation will retain five percent (5%) of the value of work done from each contractor payment (excluding mobilization payments) as security for the fulfillment of the Contract. Alternatively, Public Contract Code (PCC) Section 22300 provides that the Contractor may request that payment of retentions held be made directly to an escrow agent. The Contractor will receive the interest earned on the investment.

In accordance with these provisions, the Contractor may request in writing that the County make payment of retention funds directly into an escrow account, which would necessitate an escrow

agreement. To help expedite this process, if requested by the Contractor, Transportation requests that the Board authorize the Director to execute the Escrow Agreement. Upon satisfactory completion of portions of the Contract and upon written notification from the Director, the Contractor will receive incremental releases from the Escrow Agent paid into the account and any interest earned thereon. A portion of the retention and interest will be retained in the escrow account until thirty-five (35) days after the recordation of the Notice of Acceptance of the Contract at which time, upon written notification, these funds will be released to the Contractor.

#### Contract Change Orders (CCOs):

In any construction contract of this scope, there is a need to be able to make changes, and the CCO process facilitates the ability to make necessary changes when needed within a contract.

#### *Contingency CCOs:*

Further, with construction contracts, there is an expectation that unanticipated changes will be encountered once construction begins. To prepare for this, a 10% contingency budget is set aside. The budget for contingencies on this Contract is \$209,526.94. PCC Section 20142 and Resolution 102-2012 authorize the Director to execute individual CCOs, the maximum value of \$117,263.46, which is based on the original contract amount. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original Contract value.

### **ALTERNATIVES**

- 1) The Board could choose not to award the Contract and direct Transportation to re-advertise for construction bids.
- 2) The Board could choose to cancel the Project.

### **PRIOR BOARD ACTION**

June 14, 2022, Legistar# 22-0937, Item 37

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

County Counsel and Risk Management

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

The estimate for the construction phase of the Project is \$2,619,086.73, which includes a bid of \$2,095,269.38; construction management, survey, materials testing, and design support during construction totaling \$314,290.41, and contingency of \$209,526.94.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Upon approval by County Counsel and Risk Management, the Department of Transportation will forward two (2) originals of the Construction Contract #5513, together with the required bonds and insurance, and the approved Contract Routing Sheet to the Clerk for the Chair's signature.
- 2) The Clerk will forward one (1) fully executed Construction Contract to the Department of Transportation, attention of Jen Rimoldi, Office Engineer Group, for further processing.

### **STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

Rafael Martinez, Director

Department of Transportation