



## Legislation Details (With Text)

**File #:** 23-0745 **Version:** 1  
**Type:** Agenda Item **Status:** Approved  
**File created:** 4/3/2023 **In control:** Board of Supervisors  
**On agenda:** 5/2/2023 **Final action:** 5/2/2023

**Title:** Department of Transportation recommending the Board consider the following:  
1) Accept the subdivision improvements for Bell Woods, TM01-1380R/TM01-1380E, as complete;  
2) Reduce Performance Bond 9328374 from \$1,621,590.00 to \$447,201.30, which is ten percent of the total cost of the subdivision improvements. This amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one year if no claims are made;  
3) Hold Laborers & Materialmens Bond 9328374 in the amount of \$2,236,007.00 for six months to guarantee payments to persons furnishing labor, materials, or equipment; and  
4) Authorize the Clerk of the Board to release the respective Bonds after the required time periods upon written request by Transportation.

**FUNDING:** Developer Funded.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Certificate of Completion

Date	Ver.	Action By	Action	Result
5/2/2023	1	Board of Supervisors	Approved	Pass

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### DISCUSSION / BACKGROUND

On May 11, 2021 (Item 12, Legistar 21-0647), the Board approved the Final Map and the Agreement to Make Subdivision Improvements for Class 1 Subdivision for Bell Woods, TM01-1380R/TM01-1380E (SIA) between the County and Lennar Winncrest, LLC (Owner).

The current bond amount of \$1,621,590.00 does not represent the total cost of the improvements for the project, as some of the work was completed under a previous Subdivision Grading Agreement and developers are required to bond only for improvements that have not yet been completed. The total amount for all improvements is \$4,472,014.00. Exhibit C to the SIA, "Certificate of Partial

Completion of Subdivision Improvements,” reflects the total project cost estimate, as well as notations of work already completed and thus a reduction in the bonded amount. The Performance Bond is held at 10% of the total cost of improvements for the warranty period, thus the reduction to \$447,201.30.

The subdivision improvements for the Bell Woods project have been completed according to the plans and specifications for this development and per the conditions of the SIA. Department of Transportation (Transportation) construction inspection staff has inspected the work and confirms the subdivision improvements are complete.

### **ALTERNATIVES**

None; when the Owner/Developer completes all improvements and the County inspects and approves those improvements, the County is then obligated to approve reduction of the Bonds, if necessary, and initiate the warranty period.

### **PRIOR BOARD ACTION**

Outlined in the Discussion / Background section above.

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

N/A

### **CAO RECOMMENDATION / COMMENTS**

Approve staff recommendation.

### **FINANCIAL IMPACT**

The requested Board action has no associated fiscal impact or change to Net County Cost.

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

- 1) The Clerk of the Board will reduce Performance Bond 9328374 from \$1,621,590.00 to \$447,201.30 and advise Transportation (Lindsay Tallman) and the Bonded Owner, Lennar Winncrest, LLC, 1025 Creekside Ridge Drive, Suite 240, Roseville, CA 95678, it has been reduced.
- 2) The Clerk of the Board will hold Laborers & Materialmens Bond 9328374 in the amount of \$2,236,007.00 for six (6) months. If no claims have been filed, Transportation will request in writing that the Clerk of the Board release said Bond.

### **STRATEGIC PLAN COMPONENT**

Infrastructure improvements are a vital component in the County's ability to accommodate economic growth and provide safe roads for the residents of El Dorado County and the traveling public.

### **CONTACT**

Rafael Martinez, Director  
Department of Transportation