



Legislation Details (With Text)

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On agenda: 8/22/2023 **Final action:** 8/22/2023

Title: Department of Transportation recommending the Board consider the following:
1) Approve and authorize the Chair to sign the Notice of Acceptance with North Star Construction & Engineering, Inc. for the Oflyng Water Quality Project, Capital Improvement Project number 36107016, Contract 3962; 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. (Supervisory District V)

FUNDING: United States Forest Service (82% - Federal), State Water Resource Control Board (4% - State), and Tahoe Regional Planning Agency - Water Quality Mitigation (14% - Local).

Sponsors:

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
8/22/2023	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

The contract for the Oflyng Water Quality Project (Project) was approved by the Board on July 26, 2022 (Legistar# 22-1147, Item 24). Construction started on August 29, 2022, and was completed on June 23, 2023. Recordation of the Notice of Acceptance (NOA) will start legal time frames for guarantees, a lien period, and the return of retention monies. Recordation of the NOA will also begin the one-year time frame for releasing the Payment and Performance Bonds to the Surety.

Direct Construction Cost Summary:

Original Bid Price	\$1,219,658.20
Contract Item Cost	\$1,145,285.00
Contract Change Order Cost	\$70,395.00

Total Direct Construction Cost	\$1,215,680.00
Direct Construction Budget	\$1,341,624.02

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

- Additional tree removal;
- Construction of modified drainage inlets; and,
- Mill and replacement of existing asphalt pavement.

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 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

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 2023 CIP approved by the Board on June 6, 2023 (Legistar #23-0851, Item 56), and funded by Federal and State grant funds and local funds. The anticipated direct construction cost is less than the direct construction budget in the amount of \$1.6 million, as 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

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Department of Transportation