



## Legislation Details (With Text)

**File #:** 23-1503      **Version:** 1

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

**File created:** 7/31/2023      **In control:** Board of Supervisors

**On agenda:** 8/29/2023      **Final action:** 8/29/2023

**Title:** Department of Transportation recommending the Board consider the following:  
1) Approve and authorize the Chair to sign the Notice of Acceptance with AM Development Inc. for the Missouri Flat Road Phase 1 - Class I Trail Connection Project, Capital Improvement Program project number 36109012, Contract 6094; 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:** Transportation Development Act Funds (9%) and Urban Surface Transportation Block Grant Program Funds (91%). (Federal and Local Funds)

### Sponsors:

### Indexes:

### Code sections:

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

Date	Ver.	Action By	Action	Result
8/29/2023	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 AM Development Inc. for the Missouri Flat Road Phase 1 - Class I Trail Connection Project, Capital Improvement Program project number 36109012, Contract 6094; and  
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### DISCUSSION / BACKGROUND

The contract for the Missouri Flat Road Phase 1 - Class I Trail Connection Project (Project) was awarded by the Board on June 14, 2022, Legistar 22-0957, Item 34. All work was completed on July 11, 2023. 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	\$	267,131.00
Contract Item Cost	\$	254,788.00
Contract Change Order Cost	\$	9,166.54

Total Direct Construction Cost	\$	263,954.54
Direct Construction Budget	\$	293,844.10

Contract Change Orders on the Project included the following:

- Revising the limits of sidewalk, curb, and gutter improvements.
- Site restoration following the winter 2022-2023 storms.
- Disposal of treated wood waste.

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**

On April 12, 2022, Legistar 22-0501, Item 12, 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 2022 CIP, which was approved by the Board on June 14, 2022, Legistar 22-0521, Item 48, and funded by Transportation Development Act Funds and Urban Surface Transportation Block Grant Program Funds. The anticipated direct construction cost is approximately \$30,000 less than the budget for this phase of the project.

## **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