



## Legislation Details (With Text)

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**File created:** 3/12/2024      **In control:** Board of Supervisors

**On agenda:** 4/9/2024      **Final action:** 4/9/2024

**Title:** Department of Transportation recommending the Board take the following actions pertaining to the 2024 DOT Road Maintenance Pavement Rehabilitation Projects (14 roadways within the communities of Pollock Pines, Camino, Somerset, Placerville and El Dorado Hills), Contract 8357:

- 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 in the amount of \$6,163,739.71 effective upon execution and shall expire 90 working days from the issuance of the Notice to Proceed, 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) (85%), and Local Discretionary Transient Occupancy Tax Funds (15%). (No Federal Funds)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Bid Summary, 2. B - Maps - Exhibit E, 3. Executed Agmt. 8357

Date	Ver.	Action By	Action	Result
4/9/2024	1	Board of Supervisors	Approved	Pass

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### DISCUSSION / BACKGROUND

The purpose of the 2024 DOT Maintenance Pavement Rehabilitation Projects (Project) is to repair various roadway sections on Sly Park Road, Snows Road, Mount Aukum, El Dorado Road, Echo Lane, Runnymede Road, Salmon Falls Road, Green Valley Road, Merrian Lane, Merrian Court, Olson Lane, Pecheco Court, Stanford Lane and Warren Lane in the respective communities of

Pollock Pines, Camino Somerset, Placerville, and El Dorado Hills areas of El Dorado County by removing the failing asphalt section and replacing with hot mix asphalt. Due to current Americans with Disability Act (ADA) requirements and regulations, one (1) existing non-standard curb ramp in Cameron Park on Country Club Drive is required to be brought up to current standards as part of the Project.

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 January 29, 2024.

The Project was approved for advertisement by the Board on February 27, 2024 (Legistar 24-0148, Item #36).

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

On Tuesday, March 26, 2024 at 2:00 p.m., the Department of Transportation (Transportation), opened bids for the 2024 DOT Road Maintenance Pavement Rehabilitation Projects (Project). Three Bids were received ranging from \$6,163,739.71 to \$6,359,905.91.

Doug Veerkamp General Engineering, Inc (Veerkamp) submitted the lowest bid at \$6,163,739.71. Transportation issued an All Bidders Letter after the bid opening on March 27, 2024 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. Veerkamp's total bid for the project is \$6,163,739.71.

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 contract, 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:

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 \$616,373.97. PCC Section 20142 and Resolution 102-2012 authorize the Director to execute individual CCOs, the maximum value of \$210,000.00 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 entire Project.

### **PRIOR BOARD ACTION**

February 27, 2024, Legistar #24-0148, Item 36

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

County Counsel and Risk Management

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

The Engineer's Estimate for the construction phase of the Project is \$7,676,624.64, which includes an estimated bid of \$6,136,739.71; construction management, survey, materials testing and design support during construction totaling \$920,510.96; and contingency of \$616,373.97.

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

- 1) Upon approval by County Counsel and Risk Management, Department of Transportation will forward two (2) originals of the Construction Contract #8357, 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 Department of Transportation, attention of Ashley Johnson, for further processing.

### **STRATEGIC PLAN COMPONENT**

N/A

### **CONTACT**

Rafael Martinez, Director  
Department of Transportation