File #: 10-1146, **Version:** 3

Department of Transportation recommending the Board consider the following:
1) Authorize the Chair to sign the Notice of Acceptance with Don Garcia Excavating and Paving, Inc. for the Sawmill 2A Bike Path and Erosion Control Project (PW No. 10-30557, CIP No. 95165) in the Lake Tahoe Basin; and
2) Authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department after the one-year guarantee period.

FUNDING: This Project was funded with United States Forest Service, Tahoe Regional Planning Agency Air Quality Mitigation Funds, and Congestion Mitigation Air Quality Improvement Program. The requested Board action has no associated fiscal impact.

Reason for Recommendation:
The Contract for the Sawmill 2A Bike Path and Erosion Control Project (Project) in the Lake Tahoe Basin was approved by the Board on December 13, 2011. The Project was completed on August 3, 2012. Recordation of the Notice of Acceptance (NOA) will start legal time frames for guarantees, a lien period, and return of retention monies. If there are no construction defects or warrantee claims during the one-year guarantee period, the Department will notify the Acting Clerk of the Board to release the Payment and Performance Bonds one year after the NOA is recorded.

The construction budget for this Project, as reflected in the Department of Transportation's (Department) 2012 Capital Improvement Program, was $832,000. The total completed construction cost of the Project is listed below:

Original Bid Price	$842,260.00
Construction Contract Item Cost	$800,471.83
Contract Change Orders	$ 56,037.80
Final Cost of Construction Contract	**$846,509.92**

Major Contract Change Orders on this Project dealt with removing concrete encasement on existing utilities, revising contract unit prices for revegetation items and a 48-inch pipe extension.

Action to be taken following Board approval:
1. The Chair will sign the Notice of Acceptance.
2. The Acting Clerk of the Board will send the Notice of Acceptance to the Recorder/Clerk's Office for recordation within ten (10) days and forward a copy of the recorded Notice of Acceptance to the Department.
3. The Acting Clerk of the Board will release the Payment and Performance Bonds to the Surety upon notification from the Department.

Action to be taken by the Department following Board approval:
One year after the recordation of the Notice of Acceptance, the Department will verify that all

warranty work, if any, has been satisfactorily completed and will notify the Acting Clerk of the Board in writing to release the Bonds.

Contact:
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