File #: 11-1446, **Version:** 4

Community Development Agency, Transportation Division, recommending the Board:
1) Authorize the Chair to sign the Notice of Acceptance with DeSilva Gates Construction, L.P. for the U.S. 50 HOV Lanes (Phase 2A) - Bass Lake Road to Cameron Park Drive Project, CIP No. 53113; 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: State Corridor Mobility Improvement Account Funds, Federal Congestion Mitigation and Air Quality Improvement Program Funds, Shingle Springs Band of Miwok Indians Tribal Agreement Funds and Highway 50 TIM fees.

Reason for Recommendation

The Contract for the U.S. 50 HOV Lanes (Phase 2A) - Bass Lake Road Undercrossing to Cameron Park Drive Project (Project) was awarded by the Board to DeSilva Gates Construction, L.P. on March 6, 2012. Construction started on March 30, 2012. Construction was completed on May 17, 2013. Board execution and subsequent recordation of the Notice of Acceptance will allow the Transportation Division to issue the proposed final estimate to the Surety, which begins the Project closeout. Recordation of the Notice of Acceptance will start legal time frames for guarantees, a lien period and return of retention monies. Recordation of the Notice of Acceptance will start the one-year time frame for releasing the Payment and Performance Bonds to the Surety.

The budget for direct construction costs for this Project, as reflected in the Transportation's 2012 Capital Improvement Program, was $13,600,000. The total direct construction costs of the Project is listed below:

Original Bid Price……...	$ 9,797,745.00
Estimated Construction Contract Item Cost……..	$ 9,357,058.00
Estimated Contract Change Orders……	$ 763,031.00
Estimated Final Cost of Construction Contract…….	$10,120,089.00

The final costs listed above 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 the Transportation's allocated authority will be brought back for the Board to review and approval in a subsequent agenda item.

Major Contract Change Orders on this Project dealt with the following:

- Removal of unsuitable material

- Revise sawcut line location on DWB line (D line west bound).
- Change in character of a portion of roadway excavation
- Reduce thickness of paving and eliminate cold plane asphalt
- Add “rub rail” detail to DTBB (double thrie beam barrier) and change DTBB to TBB

Action to be taken following Board approval
1. The Chair will sign the Notice of Acceptance.
2. The 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 Transportation Division.
3. One year after the recordation of the Notice of Acceptance, the Transportation Division 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 Bonds.

Contact
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Concurrences
N/A