



Legislation Text

File #: 20-0406, **Version:** 1

Department of Transportation recommending the Board takes the following actions pertaining to the Hanks Exchange Road at Squaw Hollow Creek - Bridge Replacement Project, Contract 3916, CIP 77135/36105020:

- 1) Award the Construction Contract to Doug Veerkamp General Engineering, Inc., who was the lowest responsive, responsible bidder;
- 2) Approve and authorize the Chair to sign the Construction Contract, 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: Highway Bridge Program (100%). (Federal Funds)

DEPARTMENT RECOMMENDATION

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

On Wednesday, April 15, 2020 at 2:00 p.m. Department of Transportation (Transportation) opened bids for Hanks Exchange Road at Squaw Hollow Creek Bridge Replacement Project (Project). Seven Bids were received ranging from \$2,386,235 to \$3,442,159.

Transportation issued the All Bidders Letter on Thursday April 16, 2020, notifying the bidders of the recommendation to the Board for award of the contract to Doug Veerkamp General Engineering, Inc. (Veerkamp) and initiating the bid protest period. The bid protest period ended at 5:00 P.M. on Thursday, April 23, 2020, with no protests filed.

Authorize the Director of Transportation (Director) to Sign Escrow Agreement:

Pursuant to Special Provisions Section 9-1.16F, "Retentions", 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.

Supplemental CCOs

Certain types of work are necessary to complete the Project which cannot be estimated accurately because they require a variable effort to complete. These items are referred to as supplemental items and are identified in the Contract Documents as CCO work to be performed and paid for on a time and material basis using California Department of Transportation (Caltrans) standard force account billing procedures. The work is authorized by issuance of a CCO, which also encumbers the funds anticipated for each of the planned supplemental items of work and is billed against as the work progresses. The amount of each CCO is based on an evaluation by Transportation staff of the Project components, area, and time frame. Supplemental items in this contract include reimbursement to the Contractor for participating in a Federal Trainee Program which has been established to promote training of apprentices to develop full journeymen in the types of trades or classifications involved. The County is required to credit the Contractor for employing apprentices/trainees and for becoming enrolled in a federally-recognized training program totaling \$2,400. Because this work is anticipated and budgeted for separately, supplemental CCOs are not included in the 10% cap normally associated with contingency CCOs.

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. PCC Section 20142 and Resolution 102-2012 authorize the Director to execute individual CCOs, the maximum value of which is based on the original contract amount with a not-to-exceed limit of \$131,811.75. This authority is also for a cumulative total of contingency CCOs not to exceed 10% of the original Contract value.

DISCUSSION / BACKGROUND

The purpose of the Hank's Exchange Road at Squaw Hollow Creek- Bridge Replacement Project (Project) is to replace the existing bridge built in 1930 that is Structurally Deficient by today's standards. Based on the California Department of Transportation (Caltrans) inspection reports, the bridge has a sufficiency rating of 15.7 out of 100 and is eligible for replacement per the Highway Bridge Program.

The Project consists of construction of relocation of an existing 10" EID waterline, construction of a new cast-in-place concrete slab bridge over Squaw Hollow Creek, grading and paving for the new bridge; and, signing, striping, and drainage system improvements.

Due to federal funding, both California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance are required. A CEQA Negative Declaration was approved by this Board on May 22, 2018 (Item 24). A California Department of Transportation (Caltrans) NEPA Categorical Exclusion Determination was issued on July 18, 2018. All environmental permits have been approved for this Project.

The Project contains a jurisdictional waterway within the construction limits and requires coverage of the United States Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board permits. All required environmental permits have been acquired for the Project

Utility relocation coordination with El Dorado Irrigation is complete. This work will be performed by the contractor and is a part of the Contract. Utility relocation coordination with AT&T is complete. This work will be performed by AT&T and is not a part of the Contract.

Transportation is requesting authorization to proceed under advance construction procedures (AC). With an AC authorization, local funds are used to perform work eligible for future federal reimbursement until construction funding can be obligated for the current year. Transportation received AC authorization (E-76) on February 21, 2020 for construction phase activities.

As a federally funded Project, the Contract Documents have been federalized and incorporate the current Caltrans Disadvantaged Business Enterprise (DBE) requirements. The DBE goal is 14%.

The Project was approved for advertisement on February 25, 2020 (Item 22).

ALTERNATIVES

- 1) Do not award the contract and direct Transportation to re-advertise for construction bids.
- 2) Cancel the Project. Canceling the Project may include the consequence of reimbursing all federal funding received to date.

PRIOR BOARD ACTION

See Discussion/Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Risk Management reviewed and approved the Contract Documents on February 6, 2020.

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The Engineer's Estimate for the construction phase of the Project is \$2,985,193.75, which includes the bid of \$2,386,235.00; construction management, survey, materials testing and design support during construction totaling \$357,935; supplemental items of work totaling \$2,400; and contingency of \$238,623.50.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Upon approval by County Counsel and Risk Management, Transportation will forward two (2) originals of the Construction Contract, 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 Brian Franklin, Office Engineer, for further processing.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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