



## Legislation Text

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**File #:** 23-1259, **Version:** 1

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Department of Transportation recommending the Board take the following actions pertaining to the Oak Hill Road at Squaw Hollow Creek Bridge Replacement Project, Capital Improvement Program No. 36105031:

- 1) Award the Construction Contract to Doug Veerkamp General Engineering, Inc. who is 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.
- (District III)

**FUNDING:** Highway Bridge Program (99.9%), Regional Surface Transportation Program Exchange (0.1%) (Federal Funds)

### **DISCUSSION / BACKGROUND**

The Oak Hill Road at Squaw Hollow - Bridge Replacement Project (Project) will replace the existing bridge over Squaw Hollow Creek on Oak Hill Road in Placerville. The existing bridge over Squaw Hollow Creek was constructed in 1945 and is considered functionally obsolete per the California Department of Transportation (Caltrans) Standards with a sufficiency rating of 52.7 out of 100.

This Project has federal funding, requiring compliance with California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). The Initial Study/Mitigated Negative Declaration was adopted by the Board on April 18, 2017 (Legistar 17-0322, Item 21).

All necessary environmental permits have been obtained for this Project.

All needed right of way has been secured for the Project.

The Contract Documents include all required federal provisions and incorporate the current Caltrans Disadvantaged Business Enterprise (DBE) requirements. The DBE goal is 20%.

Authorization for construction funding (E-76) has been received for this Project.

The Project was approved for advertisement by the Board on April 18, 2023 (Item 22, Legistar 23-0657).

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

On Friday, June 30, 2023 at 2:00 p.m., Department of Transportation (Transportation) opened bids for the Project. Four (4) bids were received ranging from \$3,950,028.76 to \$5,177,438.20.

Transportation issued the All Bidders Letter on Monday, July 3, 2023, notifying the bidders of the recommendation to the Board for award of the Contract to Doug Veerkamp General Engineering, Inc. (Contractor) and initiating the bid protest period. The bid protest period ended on Tuesday, July 11, with no protests filed.

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

Pursuant to Section 9-1.16F(1), "Retentions" of the Contract Documents, 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. PCC Section 20142 and Resolution 102-2012 authorize the Director to execute individual CCOs, the maximum value of \$210,000 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 Project.

**PRIOR BOARD ACTION**

On April 18, 2017 (Legistar 17-0322, Item 21), the Board adopted the Initial Study/Mitigated Negative Declaration.

On March 12, 2019 (Legistar 19-0210, Item 11), the Board approved the purchase of riparian habitat credits necessary for the Project.

On April 18, 2023 (Legistar 23-0657, Item 22), the Board approved advertisement for the Project.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management

## **CAO RECOMMENDATION / COMMENTS**

Approve staff recommendation.

## **FINANCIAL IMPACT**

The total estimated cost for Project construction is \$4,937,535.00, which includes construction items of work, supplemental items of work, construction management, environmental monitoring, inspection, materials testing, and contingencies.

## **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 #7446, 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 Jen Rimoldi, Office Engineer Group, for further processing.

## **STRATEGIC PLAN COMPONENT**

Infrastructure

## **CONTACT**

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Department of Transportation