



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: January 13, 2015
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Scott D. McGolpin, Public Works Department, 568-3010
Contact Info: Chris Sneddon, Deputy Director, Transportation, 568-3064
SUBJECT: Construction of 2012/2013 County Wide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing, County Project No. 820631, all Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Approve and authorize the Chair to execute the Statement of Final Quantities for the Construction of 2012/2013 Countywide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing; County Project No. 820631, in all Supervisorial Districts, for work performed and materials supplied by Intermountain Slurry Seal, Inc., (not a local vendor), P.O. Box 1841, Sparks, NV 89432, in the amount of \$1,992,414.27; and
- B. Determine that this project was found by your Board to be exempt from the provisions of CEQA pursuant State CEQA Guidelines Section 15301(c), that a Notice of Exemption was filed on that basis on April 16, 2013, and that the proposed actions are within the scope of that NOE.

Summary Text:

As part of the Department's annual Pavement Preservation Program, this County Wide project resurfaced 35 lane miles of County roads with a two-step process of scrub sealing and micro-surfacing. Street locations are listed in Attachment B and were approved in the FY 14/15 RdMap. Scrub seals begin with an application of polymer modified asphaltic rejuvenating emulsion to the existing road. A broom is then pulled across the emulsion filling cracks and voids. Next, aggregate is spread on the emulsion and rolled by pneumatic tire compactors. One to five days later, a micro-surfacing layer (a mixture of polymer modified asphalt emulsion, mineral aggregate and filler) is placed on top of the scrub seal, creating a smooth, finished driving surface.

Cold weather conditions beset this project and caused delays. On many mornings, the ground temperature was not warm enough to apply the polymer emulsion, and when applied the cold weather inhibited the emulsion drying time. This factor allowed only a small time window to place the product, thus slowing down the progress of the Contractor. Towards the end of the project it was decided to eliminate four roads in the First Supervisorial District, and add them to the next Scrub-Micro Project.

These delays and application issues generated several meetings between the County and the Contractor. Recently the Contractor did not respond to our Proposed Statement of Final Quantities which they received on October 14, 2014, nor did he file a claim. According to the California Standard Specifications 2010 (which is incorporated into the contract), § 9-1.17D, the Contractor has 30 days to respond or submit a claim. Therefore the Statement of Final Quantities is being processed unilaterally without the Contractor's signature.

The Director of Public Works accepted this project as complete on January 15, 2014. The project was completed on budget but not on time, with two contract change orders (CCO).

CCO 1 reduced all items of work associated with the elimination of four roads in District One at a cost savings of \$69,637.00. This savings will be passed on to the next Scrub-Micro project, so that the eliminated roads can be added to that project. CCO 1 also assessed \$21,000.00 in Liquidated Damages (LD) for failure by the Contractor to complete work on the project within 40 working days, as specified in the contract. Because of the bad weather conditions the LD days were mutually agreed upon between the County and the Contractor; 7 days at \$3,000.00 per day. CCO 2 provided \$4,144.71 in compensation for additional grinding and standby time that was required by the County Engineer. A Performance Failure Deduction of \$21,000.00 was also taken and was mutually agreed upon between the Contractor and County, the micro-surfacing layer was slightly out of conformance with the specifications in the Santa Ynez area of District Three.



Placing Micro-Surfacing on Calle Real

Background:

Construction of 2012/2013 Countywide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing combines locations in the FY 2012/2013 and FY 2013/2014 Road Maintenance Annual Plan (RdMAP) and amendment that were approved by your Board on June 12, 2012, April 16, 2013 and July 2, 2013 respectively. The FY 2012/2013 project was extended to incorporate roads based on \$2M additional General Fund allocation to address the maintenance backlog.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Total One-Time Project Cost</u>
General Fund	\$ 461,357.41
Measure A	\$ 1,531,056.86
Total	\$ 1,992,414.27

Narrative:

The total construction costs, including contingency funds, amounts to \$1,992,414.27. Measure A revenue funded \$1,531,056.86 or (77%) of this project and the General Fund provided the remaining \$461,357.41 or (23%), specifically for streets identified in the maintenance backlog. Funds for this project were budgeted in Department 054, Fund 0016, Org Unit 0500, Program 2710, Account 7510.

Special Instructions:

Original documents are to be filed with the Clerk of the Board.

Please forward a certified, stamped Minute Order approving the recommendations, as well as a copy of the fully executed Statement of Final Quantities to:

1. Public Works, Transportation Division, Construction Section, Attn: Linda Thompson, 739-8780
North County Public Works Office, 620 West Foster Road, Santa Maria, CA 93455
2. Public Works, Transportation Division, Administration, Attn: Gena Valentine Felix, 568-3064

Attachments:

Attachment A - Statement of Final Quantities

Attachment B - Street List

Authored by:

Eric Pearson, P.E., Construction Section Manager, 681-5686

cc: Project File