



# County of Monterey

Item No.

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: A 25-134

May 06, 2025

Introduced: 4/18/2025

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Authorize an additional contingency of 10% or \$347,710 in contract amount with the Don Chapin Company Inc., for the Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8867, (Federal Project No. 5944 (135)) in the total amount of \$3,471,000 and
- b. Authorize the Director of Public Works, Facilities, and Parks (PWFP) to execute contract change orders where the overall all total value of change orders does not exceed the original contract amount plus approved contingency funding, and do not significantly change the scope of work.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Authorize an additional contingency of 10% or \$347,710 in contract amount with the Don Chapin Company Inc., for the Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8867, (Federal Project No. 5944 (135)) in the total amount of \$3,471,000 and
- b. Authorize the Director of Public Works, Facilities, and Parks (PWFP) to execute contract change orders where the overall all total value of change orders does not exceed the original contract amount plus approved contingency funding, and do not significantly change the scope of work.

### DISCUSSION:

The Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8867 (the Project) consists of constructing approximately 1,320 linear feet of sidewalks between Sill Road and Las Lomas Drive, Class II (striped) bike lanes, curb, gutter, road widening, driveway conforms, retaining wall and bioretention facility in the community of Las Lomas. A Location Map is presented in Attachment A. The County was awarded a combined State and Federal Active Transportation Program (ATP) grant of \$2,431,000 for construction of the Project.

On September 17, 2024, the Board of Supervisors authorized PWFP to award a contract to the Don Chapin Company Inc., the lowest responsible bidder to construct the Project in the total amount of \$3,471,000; authorized a contingency of \$347,100, to provide funding for approved contract change orders; and authorized the PWFP Director to execute the contract and, subject to the terms of the Public Contract Code and Board Policies as applicable, approve change orders to the contract that do not exceed the authorized contingency of \$347,100 and do not significantly change the scope of work.

Construction began on October 21, 2024. Since then, the Project has been plagued with a host of unanticipated field conditions that have resulted in additional construction costs. These include unanticipated soil/geologic conditions; underground electrical, gas, water, storm drain, and sewer lines whose locations were either not known, improperly relocated or were at depths shallower than

records would indicate. In additions, some of the contract change orders have required redesign of certain storm drain system components to avoid unanticipated underground utilities and grade differences, resulting in increased design costs.

These conditions have resulted in the Contractor submitting 63 change order requests totaling approximately \$472,500. To date, PWWP has authorized change orders totaling \$242,804, or approximately 71% of available contingency. To cover pending change order requests and future uncertainties, we are requesting the Board authorize additional contingency of \$347,100 for a total contingency of \$688,100, or 19.5% of the original contract amount.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management and the Auditor-Controller's Office have reviewed and approved the existing contract as to form, insurance and indemnification provisions and fiscal terms, respectively.

FINANCING:

The total estimated cost of the Project, including design engineering, environmental, right-of-way, and construction is \$6,338,683. The County has secured Active Transportation Program (ATP) funding for the Project as outlined in Attachment B, Project Budget. The Project is largely funded by a combination of State and Federal ATP Funds in the amount of \$2,894,000, Transportation Development Act (TDA) funds in the amount of \$170,300 and Road Fund in the amount of \$120,464. The remaining \$3,153,919 will be funded through Measure X local funds. There are sufficient appropriations adopted in the FY 2025 Road Fund 002, Appropriation Unit PFP004 budget to finance the construction phase of the project. There is no request for, and therefore no affect, on County General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Project will construct sidewalks, Class II bike lanes, curb, gutter, driveways, retaining wall and bioswales. The recommended action supports the following Board of Supervisors' Strategic Initiative:

- ☐ Economic Development
- ☐ Administration
- ☐ Health & Human Services
- ☒ Infrastructure
- ☒ Public Safety

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Attachment A - Location Map

Attachment B - Project Budget

