



Legislation Details (With Board Report)

**File #:** 13-0074      **Name:** Accept Road Improvements Yanks Way, Livingston Rd

**Type:** General Agenda Item      **Status:** Passed

**File created:** 1/22/2013      **In control:** Public Works / RMA

**On agenda:** 2/5/2013      **Final action:** 2/5/2013

**Title:** a. Accept construction of road improvements to Livingston Road, Yanks Way, and the “Access Road” as completed; and  
b. Accept Livingston Road, Yanks Way, and the “Access Road” into the County Maintained Road System.

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Maintenance Bond, 2. Monumentation Bond for Subdivisions, 3. Engineer's Statement of Approved Construction Completion, 4. 2010 Recorded Agreement for Construction of Road Improvements, 5. Location Map, 6. Vicinity Map, 7. Completed Board Order

| Date     | Ver. | Action By            | Action   | Result |
|----------|------|----------------------|----------|--------|
| 2/5/2013 | 1    | Board of Supervisors | approved |        |

a. Accept construction of road improvements to Livingston Road, Yanks Way, and the “Access Road” as completed; and  
b. Accept Livingston Road, Yanks Way, and the “Access Road” into the County Maintained Road System.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

a. Accept construction of road improvements to Livingston Road, Yanks Way, and the “Access Road” as completed; and  
b. Accept Livingston Road, Yanks Way, and the “Access Road” into the County Maintained Road System.

SUMMARY/DISCUSSION:

On June 29, 2010, the Board of Supervisors approved an Agreement for Construction of Road Improvements with Charles Nichols and Judith Nichols, as trustees of the Nichols Family Trust UTA, dated January 17, 1991, Applicant for Yanks Air Museum, for construction of road improvements on Livingston Road, Yanks Way, and the new “Access Road” (see attached Agreement). Per the agreement, road improvements shall conform to Caltrans and County of Monterey standards and requirements, and the accepted street improvement plans. The subject roads are part of the first phase of the Yanks Air Museum project approved earlier by the Board of Supervisors.

On September 28, 2010, Virginia Industrial Properties, on behalf of the Applicant, submitted a deposit of \$60,000 to cover administrative costs, including improvement plan review not covered by the Applicant’s plan check and permit fees, encroachment inspections, and construction quality assurance. Charges to this deposit are based on actual costs incurred by the County for which the Applicant is being charged.

The Applicant has fulfilled the conditions of the Agreement for Phase I of the Road Improvements. On January 26, 2012, a joint final inspection walkthrough was conducted by County staff, City of Greenfield staff, and a representative from Swift Tectonics, Inc., contractor of the road improvements. The applicant's engineer has certified that the improvements have been completed in accordance with the approved plans, and the City of Greenfield and Monterey County staff have inspected the improvements and determined the improvements to be in conformance with the approved plans. The Agreement also included a Faithful Performance Bond and a Labor and Materials Bond for surety for the road improvements. These bonds were not obtained; however, the improvements are complete and acceptable. Per the Agreement for Construction of Road Improvements, acceptance of the Road Improvements requires submittal of a Warranty Bond and Monumentation Bond. In Spring 2012, these bonds were requested from the applicant, and in Fall 2012, the Warranty Bond and Monumentation Bond were submitted by the applicant to cover costs for maintenance and setting of monuments, respectively.

Upon acceptance of the improvements to Livingston Road, Yanks Way, and the "Access Road," these roadways will need to be added to the County Maintained Road System. The total length of streets constructed is approximately 0.38 miles. County staff is currently working with the City of Greenfield on annexation of the Yanks Air Museum project property, including these roads, to the City.

OTHER AGENCY INVOLVEMENT:

The City of Greenfield has reviewed the improvements and agrees with this recommendation.

FINANCING:

There is no impact to the General Fund. All associated costs shall be charged to the \$60,000 deposit made by the Applicant to the County. Through December of FY 2012-13, the County has recognized costs of \$15,462.14, leaving a remaining balance of \$44,537.86. After completion of the warranty period, any unpaid balance will be refunded to the Applicant.

Prepared by: Chad Alinio, P.E., Civil Engineer, (831) 755-4937

Approved by:

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Robert K. Murdoch, P.E., Director of Public Works

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Benny J. Young, RMA Director

Dated: January 25, 2012

Attachments: Maintenance Bond; Monumentation Bond for Subdivisions; Engineer's Statement of Approved Construction Completion; 2010 Recorded Agreement for Construction of Road Improvements; Location Map; Vicinity Map