



## TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

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**To:** Honorable Mayor and Town Council      **Date:** September 13, 2016  
**From:** Brad Miller, Town Engineer  
Engineering Department      **Item No:** 11  
**Subject:** ACCEPTANCE OF WORK, NOTICE OF COMPLETION AND RELEASE  
OF RETENTION FOR THE YUCCA LOMA BRIDGE/YATES ROAD —  
PROJECT NO. 2013-04

**T.M. Approval:** \_\_\_\_\_      **Budgeted Item:**  Yes  No  N/A

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### RECOMMENDED ACTION:

That the Town Council:

1. Accept the work completed as part of the Yucca Loma Bridge over the Mojave River and Yates Road Improvements – Project No. 2013-04, for a total cost of \$37,241,579.20 (thirty seven million, two hundred forty one thousand, five hundred seventy nine dollars and twenty cents).
2. Direct the Town Clerk to file the Notice of Completion for the contract work.
3. Direct the Finance Director to release the retained funds thirty (30) days after the Notice of Completion has been filed, provided no claims are filed against the contractor.

### SUMMARY:

On November 12, 2013, the Town awarded a contract to Security Paving Construction, Incorporated for the Yucca Loma Bridge over the Mojave River and Yates Road Improvements – Project 2013-04 (Project). The contract was to provide necessary labor, equipment, and materials for the Yucca Loma Bridge over the Mojave River and Yates Road Improvements construction services per the Project's plans, specifications and special provisions and as directed by the Town Engineer.

Security Paving Construction, Incorporated satisfactorily completed the work under this contract on June 30, 2016. The total contract cost for the Project is \$37,241,579.20 (thirty seven million, two hundred forty one thousand, five hundred seventy nine dollars and twenty cents).

## **BACKGROUND:**

In April of 2012, the Town of Apple Valley entered into a Construction Funding Agreement (Agreement) with the San Bernardino County Transportation Authority (Authority). Through this Agreement, the Authority agreed to be responsible for 45% of the Yucca Loma Bridge over the Mojave River construction costs. The Town agreed to be responsible for the remaining 55% of the construction costs.

In May of 2013, the Town of Apple Valley entered into an Agreement with the Authority and the County of San Bernardino (County). Through this Agreement, the Authority agreed to be responsible for 82.2% of the Yates Road Improvements construction costs and the County agreed to be responsible for the remaining 17.8% of the construction costs. The Town agreed to serve as the lead agency in the construction of the Project, in conjunction with the Yucca Loma Bridge construction and to be responsible for 0% of the construction costs.

As lead agency, the Town agreed to advertise, award, administer and initially fund the construction activities.

Plans and specifications for the Yucca Loma Bridge over the Mojave River and Yates Road Improvements Project were finalized on August 13, 2013. Soon after, on August 22, 2013, the Engineering Department issued a Notice Inviting Sealed Bids. The Town Clerk's office received ten (10) sealed bids in response to the notice.

The Project's bid opening was held on October 10, 2013, in the Town Council Chamber and the apparent lowest bidder was announced as Security Paving Company, Incorporated. Each one (1) of the opened bids was later reviewed and analyzed by the Engineering Department for compliance with the requirements outlined in the notice. Engineering Department staff concluded that all ten (10) submitted bids were complete and that Security Paving Company, Incorporated, is, in fact, the lowest responsible, responsive bidder with a total bid amount of \$37,265,833.50 (thirty seven million, two hundred sixty five thousand, eight hundred thirty three dollars and fifty cents).

Work consisted of construction of the new Yucca Loma Bridge over the Mojave River, roadway and drainage improvements on Yucca Loma Road near Kasanka Trail, grading, approach roadway and roadway widening to the west at Yates Road from the western approach to the Mojave Narrows Regional Park entrance, new soundwalls

along Yates Road, new project restoration area on the north side of Yates Road and a new outfall and interim regional drainage facility from Yucca Loma Road at Kasanka Trail to the Mojave River as indicated on the plans and specifications for construction of the Yucca Loma Bridge over the Mojave River and Yates Road Improvements. The Project required traffic control for equipment access and construction of the Project by the contractor and subcontractors as shown within the contract documents. Coordination and compliance was also required by the Contractor with the various regulatory agencies including, but not limited to, Army Corps of Engineers, Lahontan Regional Water Quality Control Board, California Department of Fish and Wildlife and San Bernardino County Flood Control District.

**FISCAL IMPACT:**

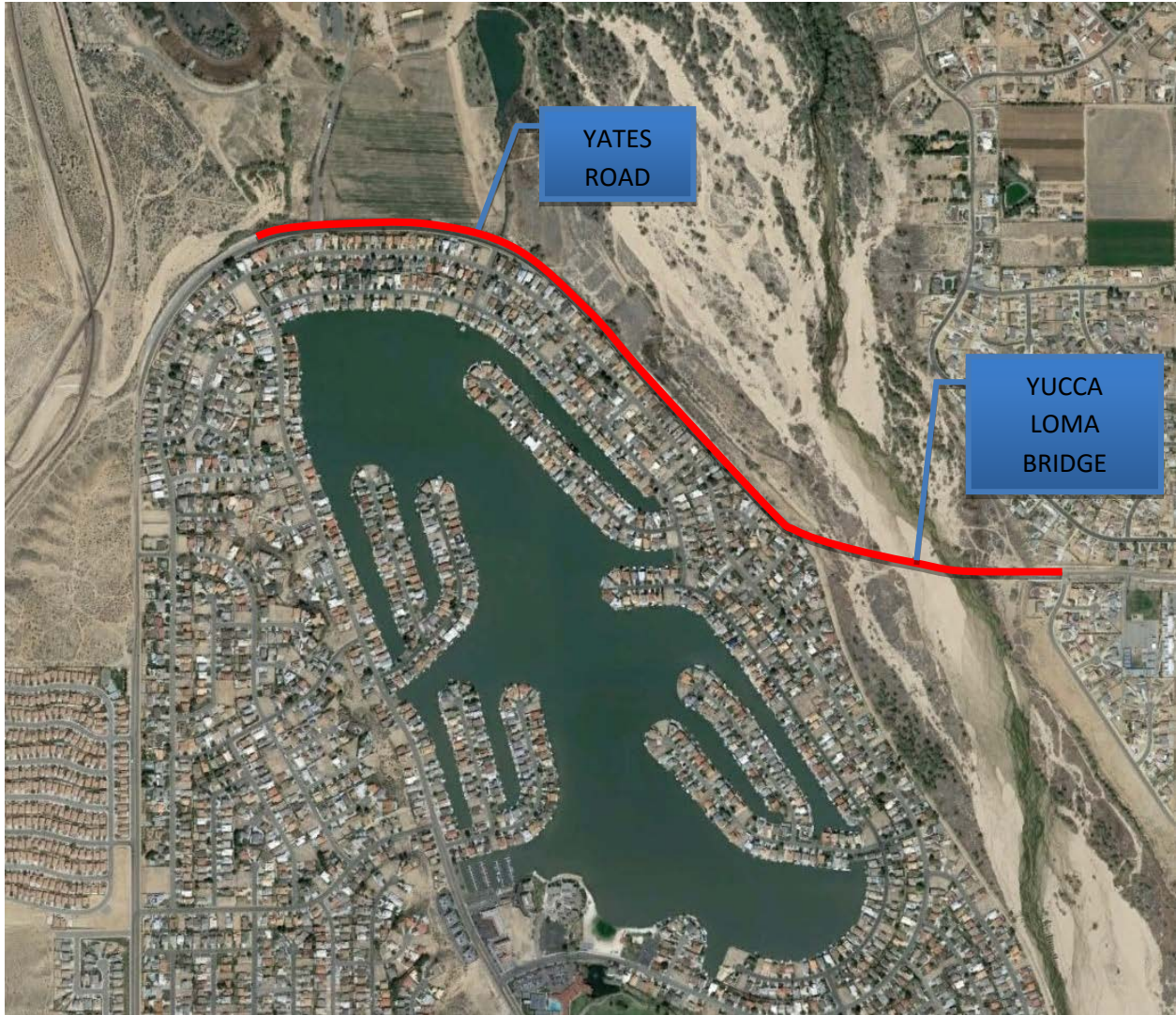
The total amount of \$37,241,579.20 (thirty seven million, two hundred forty one thousand, five hundred seventy nine dollars and twenty cents) project expenses were included in the Town's Adopted Budget for FY 2013-14 through 2015-16 as part of the Town's adopted Capital Improvement Program. The funding sources for the Project included funding from bond proceeds issued by the former Redevelopment Agency for this Project and Traffic Impact Fees. The funding Agreements with SANBAG and the County required that the Town first pay the contractors invoices and then immediately seek reimbursement per each of the respective Agreements C12227 and 13-227 with each agency.

**ATTACHMENTS:**

1. Aerial Photos with Projects Limits
2. Notice of Completion

**Project 2013-04**

Location Map



Recording Requested by:  
Town of Apple Valley

When Recorded mail to:

TOWN OF APPLE VALLEY  
Engineering Department  
14955 Dale Evans Parkway  
Apple Valley, CA 92307

FOR RECORDER'S USE ONLY

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Notice of Completion

This document is recorded at the request of and for the benefit of the Town of Apple valley, California, and is therefore exempt from the payment of the recording fee pursuant to Government Code Section 27383 and from the payment of the documentary transfer tax pursuant to Revenue and Taxation code 11922.

NOTICE IS HEREBY GIVEN, that

1. The undersigned, Norman B. Miller, is the duly appointed and qualified Town Engineer of the Town of Apple Valley, a municipal corporation of the State of California, and which is located within the County of San Bernardino, in said State, and the address of the undersigned is 14955 Dale Evans Parkway, Apple Valley, California 92307.
2. That on the 21st day of November, 2013, and pursuant to approval of the Town Council of the said Town, the Town entered into a contract with Security Paving Company, Inc. whose address is 13170 Telfair Avenue, Sylmar, California 91342, for the Yucca Loma Bridge over the Mojave River and Yates Road Improvements construction services in the Town of Apple Valley and unincorporated area of San Bernardino County in accordance with the project's plans, specifications and special provisions and as directed by the Town Engineer.
3. That all of the said work or improvements were located between the westerly end of Yucca Loma Road in the Town of Apple Valley, across the Mojave River, and the intersection of Yates Road and Park Road in an unincorporated area of San Bernardino County.
4. That all of the said work or improvements contemplated in and under said contract were completed, and accepted by Council action, on September 13, 2016.
5. That the Surety on the Performance Bond of said Contractor and the surety on the Labor and Material Bond of said Contractor, under said contract, were and are \$37,265,833.50 and \$37,265,833.50.

The undersigned, being the first duly sworn, says: That he is the duly appointed and qualified Town Engineer of the Town of Apple Valley, the political subdivision of the state of California which conducted the proceedings for the improvement located at 14955 Dale Evans Parkway, in said Town, described or referred to in the foregoing Notice; and that he has read the foregoing "Notice of Completion;" and knows the contents thereof, and that the facts recited therein are true.

I certify under penalty of perjury the foregoing is true and correct.

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Town Engineer of the Town of Apple Valley, California

STATE OF CALIFORNIA            )  
COUNTY OF SAN BERNARDINO    )  
TOWN OF APPLE VALLEY         )ss.