State of California
DEPARTMENT OF TRANSPORTATION

California State Transportation Agency

Memorandum

Serious drought.
Help Save Water!

To: RIHUI ZHANG, Chief
Division of Local Assistance

Date: April 1, 2015

File: P2535-0013

ORIGINAL SIGNED BY:

From: LAURINE BOHAMERA, Chief
External Audit - Contracts
Audits and Investigations

Subject: **AUDIT OF EL DORADO COUNTY, DEPARTMENT OF TRANSPORTATION**

Attached is the audit report pertaining to the audit performed on El Dorado County, Department of Transportation, relative to funding received from Caltrans using Proposition 1B (Prop 1B) State-Local Partnership Program Funds. The name of the project audited is "Durock Road and Business Drive Signalization and Intersection Widening," Project No. SLPPCL10-5925(075). The Prop 1B programmed amount was $648,000. The audit was for the period of January 1, 2010, through March 31, 2014.

As required by the Governor's Executive Order S-02-07 and SB88, the expenditures of bond proceeds and outcomes are subject to audit. The audit was performed by the State Controller's Office on behalf of Caltrans. Deputy Directive 100-R1, "Departmental Responses to Audit Reports" cites responsibilities of Division Chiefs relative to audits performed.

The attached report includes two audit findings related to questioned labor compliance interviews and non-compliance with consultant selection requirements. Please provide A&I a corrective action plan on the audit findings within 90 days of the audit report date.

If you have any questions please contact Luisa Ruvalcaba, Audit Manager, at (916) 323-7888.

Attachment(s)

c: Stephen Maller, Deputy Director, California Transportation Commission
Teresa Favila, Assistant Deputy Director, California Transportation Commission
Bruce De Terra, Acting Division Chief, Transportation Programming
Doris M. Alkebulan, Prop 1B Specialist, Transportation Programming
Sharon Ropp, Prop 1B Coordinator, Division of Local Assistance
Luisa Ruvalcaba, Audit Manager, Audits and Investigations

EL DORADO COUNTY – DEPARTMENT OF TRANSPORTATION

Audit Report

STATE-LOCAL PARTNERSHIP PROGRAM PROPOSITION 1B BOND-FUNDED PROJECT EA No. 03-0L2234/P2535-0013

January 1, 2010, through March 31, 2014

BETTY T YEE
California State Controller

March 2015

BETTY T. YEE
California State Controller

March 30, 2015

Marsue Morrill, Chief
Audits & Investigations
California Department of Transportation
P.O. Box 942874
Sacramento, CA 94274-0001

Dear Ms. Morrill:

The State Controller's Office (SCO) audited the El Dorado County – Department of Transportation's (implementing agency) financial management system relative to projects funded and reimbursed by Proposition 1B bond funds during the audit period of January 1, 2010, through March 31, 2014.

The SCO performed the audit in accordance with generally accepted government auditing standards and based on audit procedures performed, we determined that the implementing agency's accounting system and internal controls appear adequate to accumulate and segregate reasonable, allocable, and allowable project costs as required by Title 2, *Code of Federal Regulations*, Part 225 (2 CFR 225), and California Department of Transportation (Caltrans) and Transportation Commission (Commission) program guidelines and agreements.

We audited the Proposition 1B bond-funded project, State Local Partnership Program (SLPP), Durock Road/Business Drive Signalization, EA No. 03-0L2234, and determined that:

- The implementing agency complied with applicable federal and state procurement requirements as required by Title 49, *Code of Federal Regulations*, Part 18 (49 CFR 18), and/or Local Assistant Procedures Manual, Chapter 10.

- The project costs incurred and reimbursed were in compliance with required Caltrans and Commission program guidelines, procedures, agreements, or approved amendments; contract provisions; and/or applicable state and federal laws and regulations.

- The project deliverables (outputs) and outcomes were consistent with the project scope, schedule, and benefits described in the executed project baseline agreements or approved amendments thereof.

However, our audit found that:

1. The implementing agency did not conduct the sufficient number of interviews of employees working for the contractor and its subcontractors in regards to labor compliance requirements.

2. In addition, the implementing agency was unable to provide the required consultant contract selection documents. As a result, we were unable to determine if HDR Construction Control Corporation was the first-ranked firm selected by the county to provide construction and administrative services for the project under audit. We issued a draft audit report on November 12, 2014. The County responded to our draft report, concurred with Finding 1 (labor compliance issue), and provided additional documents for Finding 2 (consulting selection issue).

3. The SCO reviewed the County's response and additional documents that were provided and has determined that the previously questioned cost of $69,066 is allowable.

Schedule 1 of this report is a summary of project costs programmed, approved, expended, and audited during the audit period.

If you have any questions, please contact Andrew Finlayson, Chief, State Agency Audits Bureau, by telephone at (916) 324-6310.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/gj

cc: Marty Namjou, Audit Manager
Division of Audits – Bond Unit
State Controller's Office
Christina Perfino, Auditor in-Charge
Division of Audits – Bond Unit
State Controller's Office

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Audit Report

Summary

The State Controller's Office (SCO) audited the El Dorado County – Department of Transportation's (implementing agency) financial management system relative to projects funded and reimbursed by Proposition 1B bond funds during the audit period of January 1, 2010, through March 31, 2014.

The SCO performed the audit in accordance with generally accepted government auditing standards and based on audit procedures performed, we determined that the implementing agency's accounting system and internal controls appear adequate to accumulate and segregate reasonable, allocable, and allowable project costs as required by Title 2, *Code of Federal Regulations*, Part 225 (2 CFR 225), and California Department of Transportation (Caltrans) and Transportation Commission (Commission) program guidelines, procedures, agreements, or approved amendments.

We audited the Proposition 1B bond-funded project, State-Local Partnership Program (SLPP), Durock Road/Business Drive Signalization, EA No. 03-0L2234, and determined that:

- The implementing agency complied with applicable federal and state procurement requirements as required by Title 49, *Code of Federal Regulations*, Part 18 (49 CFR 18), and/or Local Assistance Procedures Manual (LAPM), Chapter 10.

- The project costs incurred and reimbursed were in compliance with required Caltrans and Commission program guidelines, procedures, agreements, or approved amendments; contract provisions; and/or applicable state and federal laws and regulations.

- The project deliverables (outputs) and outcomes were consistent with the project scope, schedule, and benefits described in the executed project baseline agreements or approved amendments thereof.

However, our audit found that:

1. The implementing agency did not conduct the sufficient number of interviews of employees working for the contractor and its subcontractors in regards to labor compliance requirements.

2. In addition, the implementing agency was unable to provide the required consultant contract selection documents. As a result, we were unable to determine if HDR Construction Control Corporation was the first-ranked firm selected by the county to provide construction and administrative services for the project under audit.

We issued a draft audit report on November 12, 2014. The County responded to our draft report, concurred with Finding 1, and provided additional documents for Finding 2.

The SCO reviewed the County's response and additional documents that were provided and has determined that the previously questioned cost of $69,066 is allowable.

Background

In accordance with Caltrans and Commission-executed project agreement(s) or approved amendments, the project, SLPP, Durock Road/Business Drive Signalization, EA No. 03-0L2234, was programmed and approved to receive $710,000 in Proposition 1B bond funds, for one or more phases of work, under the State-Local Partnership Program.

The implementing agency is responsible for implementation and successful completion of each project component and activities as defined in the project's agreement(s). The project's construction completion date was September 13, 2011.

This audit was performed by the SCO on behalf of Caltrans (Audit Request No. P2535-0013). The authority to conduct this audit is given by:

- Interagency Agreement No. 77A0027, dated December 1, 2007, between the SCO and Caltrans, which provides that the SCO will perform audits of project expenditures that were funded and reimbursed by the Proposition 1B Bond Fund to ensure compliance with Caltrans and Commission Proposition 1B program guidelines.

- Government Code section 12410, which states, "The Controller shall superintend the fiscal concerns of the state. The Controller shall audit all claims against the state, and may audit the disbursement of any state money, for correctness, legality, and for sufficient provisions of law for payment."

Objectives, Scope, and Methodology

The SCO audited the implementing agency's financial management system relative to projects funded and reimbursed by the Proposition 1B Bond Fund during the audit period of January 1, 2010, through March 31, 2014.

The objectives of our audit were to determine whether:

- The implementing agency's accounting system and internal controls were adequate to accumulate and segregate reasonable, allocable, and allowable project costs as required by 2 CFR 225, and Caltrans and Commission program guidelines, procedures, project agreements, or approved amendments.

- The implementing agency complied with applicable federal and state procurement requirements as required by 49 CFR 18, California

Public Contract Code sections 10140–10141, and/or provisions stated in the contract.

- The project costs incurred and reimbursed were in compliance with required Caltrans and Commission program guidelines, procedures, agreements, or approved amendments; contract provisions; and/or applicable state and federal laws and regulations.

- The project deliverables (outputs) and outcomes were consistent with the project scope, schedule, and benefits described in the executed project baseline agreements or approved amendments thereof.

To achieve our audit objectives, we performed the following audit procedures:

- Reviewed the implementing agency's prior audits and single audit reports;

- Reviewed the implementing agency's written policies and procedures relating to accounting systems, construction project management, and contract management; and

- Interviewed employees, completed the internal control questionnaire, and performed a system walk-through in order to gain an understanding of the implementing agency's internal controls, accounting systems, timekeeping and payroll systems, and billing processes related to transportation projects; specifically, projects funded by Proposition 1B.

For the project(s) under review, we performed the following audit procedures:

- Obtained project files and reviewed preliminary information to ensure that the implementing agency complied with applicable state and federal procurement requirements;

- Obtained project expenditure reports, selected a sample of activities that were funded by Proposition 1B, and obtained and reviewed supporting documentation to ensure that project expenditures were reasonable, allocable, and allowable in accordance with Caltrans and Commission program guidelines, procedures, agreements, and applicable state and federal requirements;

- Reviewed significant contract change orders to ensure that they were properly approved and supported;

- Reviewed project final reports, close-out documents, finance letters, and baseline agreements to ensure that variances or changes to the project's scope, schedule, costs, and benefits were properly approved and supported; and

- Reviewed the project payment history file and/or invoices sent to the Caltrans accounting office to ensure that the implementing agency

properly prepared and/or billed Caltrans for reimbursement of project expenditures as required by Caltrans' local assistance procedures.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We did not audit the implementing agency's financial statements. We limited our audit scope to planning and performing audit procedures necessary to achieve our audit objectives.

Conclusion

We determined that the implementing agency's accounting system and internal controls appear adequate to accumulate and segregate reasonable, allocable, and allowable project costs as required by 2 CFR 225, and Caltrans and Commission program guidelines and agreements.

We audited the Proposition 1B bond-funded project, SLPP, Durock Road/Business Drive Signalization, EA No. 03-0L2234, and determined that:

- The implementing agency complied with applicable federal and state procurement requirements required by 49 CFR 18, Local Assistance Procedures Manual (LAPM), Chapter 10.
- The project costs incurred and reimbursed were in compliance with required Caltrans and Commission program guidelines, procedures, agreements, or approved amendments; contract provisions; and/or applicable state and federal laws and regulations.
- The project deliverables (outputs) and outcomes were consistent with the project scope, schedule, and benefits described in the executed project baseline agreements or approved amendments thereof.

However, our audit found that the implementing agency:

- Did not conduct the sufficient number of interviews of employees working for the contractor and its subcontractors in regards to labor compliance requirements.
- Was unable to provide the required consultant contract selection documents. As a result, we were unable to determine if HDR Construction Control Corporation was the first-ranked firm selected by the county to provide construction and administrative services for the project under audit.

Views of Responsible Officials

We issued a draft audit report on November 12, 2014. Steve Pedretti, Director, responded by letters dated November 25, 2014, and January 13, 2015 (Attachments) explaining the county's current position regarding the audit findings. The final audit report includes the County's response.

The SCO reviewed the County's response and additional documents that were provided and has determined that the previously questioned cost of $69,066 is allowable.

Restricted Use

This report is solely for the information and use of El Dorado County – Department of Transportation, Caltrans, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

March 30, 2015

Schedule 1—
Summary of Project Costs
Approved, Expended, and Audited
January 1, 2010, through March 31, 2014

Project No./EA No.: EA No. 03-0L2234

Project Information: SLPP, Durock Road/Business Drive Signalization

Project Financial Information:

Phases Reimbursed by Proposition 1B Bond Fund	Programmed and Approved	Expended	Audited	Difference [1]	Finding [2]
Construction	$ 710,000	$ 647,403	$ 647,403	$ 62,597	
Total	$ 710,000	$ 647,403	$ 647,403	$ 62,597	

Project Delivery Baseline:

Project Phase(s):	Project Programing Request	Approved	Actual	Audited
Beginning Construction	12/01/09	08/24/10	08/24/10	08/24/10
End Construction	10/01/10	02/18/11	09/13/11	09/13/11
Beginning Closeout	10/01/10	02/18/11	09/13/11	09/13/11
End Closeout	02/01/11	05/18/11	05/24/12	05/24/11

[1] The difference between the amount approved and expended – Caltrans to notify CTC to de-obligate funds.

[2] See the Findings and Recommendations Section.

Findings and Recommendations

FINDING 1—Non-compliance with labor compliance requirements

The County did not conduct the sufficient number of interviews of employees working for the contractor and its subcontractors in regards to labor compliance.

Chapter 16.11 Labor Compliance of Local Assistance Procedures Manual, states:

> The administering agency is responsible to designate a labor compliance officer to enforce the contract provisions and ensure that all labor compliance requirements are performed and documented in the project file.
>
> The administering agency must maintain sufficient records to ensure contractor/subcontractor compliance with wage and apprenticeship sections of the contract. Specific actions required, include but are not limited to ...Conducting spot interviews with employees on the project...maintaining written evidence of apprentices employed on the project.

Recommendation

The County should follow established procedures to ensure that its staff conducts a minimum of three prime contractor interviews and at least one interview for each subcontractor each month to enforce the labor requirements stated in the Local Assistant Procedures Manual. The written records of the interviews should be kept as documentation with the project construction files.

County's Response:

The County concurs with the Finding and audit recommendation.

SCO Comment:

The finding remains unchanged.

FINDING 2—Non-compliance with consultant selection requirements

The County stated that among the group of reviewers (selection panel), the decision was unanimous that HDR Construction Control Corporation (HDR) was the most qualified firm to manage this project. However, the county could not provide the required consultant contract selection documents to support selection of HDR. As a result, we were unable to determine if HDR was the first-ranked firm selected by the county to provide construction and administrative services for this project.

Title 49 CFR, Part 18.36 states:

> Grantees and subgrantees will maintain records sufficient to detail the significant history of procurement. These records will include, but are not necessarily limited to the following: rationale

> for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

Local Assistance Procedures Manual, Chapter 10, Consultant Selection, Section 10.8, states:

> For audit purposes, project records and documentation shall be kept for three (3) years after payment to the final federal and/or the state voucher. Among the records to be retained as follows: Copies of RFP's and RFQs, Documentation of DBE participation, Solicitation/advertisement records, identification of selection committee members, Evaluation and ranking records,... Accounting records documenting compliance with state and federal administrative requirements.

Recommendation

The County should develop a work plan to enforce compliance with the procurement requirements of 49 CFR 18.36, Local Assistance Procedures Manual, Chapter 10, and to ensure that project-related files and records are available for audit purposes as stated in the project construction contract and executed agreements between the county and Caltrans.

County's Response

> The Draft Audit Report dated November 2014 by the State Controller's Office (SCO) is correct in stating that El Dorado County could not provide the required consultant selection documents to support selection of HDR Construction Control Corporation as its construction management consultant for the Durock Road/Business Drive Signalization project. This selection process was largely executed by two El Dorado County (County) employees who have since retired, and we have been unable to find their interview notes and scoring sheets. This has been a source of frustration for the County, since both retired employees insist that these records were kept during the selection process.
>
> However, in researching this issue, the County has compiled additional information that demonstrates that HDR was a top tier construction management firm, and that their selection by the County was appropriate. This can be most clearly demonstrated by detailing the consultant selection process used by the County to select HDR...
>
> If it will assist in the SCO in justifying a non-fiscal sanction for Finding 2, the County will work with all of the panel members to provide affidavits attesting to the fact that records were kept during the selection process and that HDR was the most qualified consultant...

A copy of the County's response is included as an attachment to this report.

SCO's Comment

The SCO reviewed the County's response and additional documents provided and has determined the previously questioned cost of $69,066 to be allowable. However, the County should ensure that the consultant selection documents and records are kept as documentation with the project construction files to enforce compliance with the procurement requirements of 49 CFR 18.36, and Local Assistance Procedures Manual, Chapter 10.

Attachment—
County's Response to
Draft Audit Report

COMMUNITY DEVELOPMENT AGENCY

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-5900, Fax (530) 626-0387

November 25, 2014

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Andrew Finlayson
Chief, State Agency Audits Bureau
California State Controller's Office
P.O Box 942850
Sacramento, CA 94250-5874

Re: Draft Findings From Audit of Durock Road/Business Center Drive Signalization Project

Mr. Finlayson:

Reference is made to your letter to John Kahling dated November 12, 2014 (received by the County on November 17, 2014) presenting your draft findings from your audit of our Durock Road/Business Center Drive Signalization project performed earlier this year. Your draft report found that El Dorado County (County) was non-compliant with consultant selection requirements and non-compliant with labor compliance requirements. Your draft recommendation for the consultant selection finding includes disallowing $69,065.85 in construction engineering costs. Accordingly, the County's response to your draft findings will focus on your finding related to our consultant selection process.

Response to Finding 1
The County concurs with the finding and the audit recommendation.

Response to Finding 2
The Draft Audit Report dated October 2014 by the State Controller's Office (SCO) is correct in stating that El Dorado County could not provide the required consultant selection documents to support selection of HDR Construction Control Corporation as its construction management consultant for the Durock/Business Center project. This selection process was largely executed by two El Dorado County (County) employees who have since retired, and we have been unable to find their interview notes and scoring sheets. This has been a source of frustration for the County, since both retired employees insist that these records were kept during the selection process.

However, in researching this issue, the County has compiled additional information that demonstrates that HDR was a top tier construction management firm, and that their selection by the County was appropriate. This can be most clearly demonstrated by detailing the consultant selection process used by the County to select HDR.

In 2007, the County issued a Request for Qualifications (RFQ) for several civil engineering disciplines, including construction management. HDR submitted a statement of qualifications in response to this RFQ, and they were ranked 18th out of 38 firms (documentation provided during field audit). In mid-2009, the County was preparing for the construction phase of its $40 million U.S. 50/Missouri Flat Road Interchange Phase 1B project. Due to this project's complexity and unusual structures work, the County decided to implement a very thorough consultant selection process for its construction management team. The County sent out Requests for Proposals (RFPs) to the top 20 firms from the aforementioned 2007 RFQ. (It should be noted that only 19 RFPs were actually sent out by the County. Quincy Engineering was one of the top 20 firms, but Quincy performed the design work for the project and was thus barred from also providing construction management services for the project). In response to this RFP, the County received seven proposals and decided to interview all of the firms that submitted proposals. After the interview process had completed, Vali Cooper and Associates was selected for the contract, with HDR coming in second. The final ranking analysis summary sheet is attached to this letter.

A few months later, the County needed to hire a consultant to manage a pair of small projects - the White Rock Road/Windfield Drive Signalization project and the Durock Road/Business Center Drive Signalization project. The County sent RFPs to the same 7 firms that submitted proposals for the Missouri Flat project (the RFP letters are attached to this letter). Six proposals were received, and all firms were interviewed. Two County staff members and an engineer from a local private firm comprised the selection panel. The panel selected HDR for the contract. This process was contemporaneously documented by the minutes from the action by the Board of Supervisors that awarded the subject contract to HDR (see attached).

In order to assist the SCO in justifying a non-fiscal sanction for Finding 2, the County has attached affidavits from two of the selection panel members attesting to the fact that records were kept during the selection process and that HDR was the most qualified consultant. The affidavit from the third selection panel member will be furnished to the SCO the week of December 1, 2014.

Clearly, the HDR selection procedure followed the two-step RFQ/RFP process outlined in the Caltrans Local Assistance Procedures Manual. Nearly all of the data from this process is supported by contemporaneous records. The only significant piece that is missing is the scoring sheet from the final interview process that resulted in HDR's selection.

There was no motive for HDR or the County to collude to award HDR a contract that it did not deserve. HDR is a large international corporation. Due to the subject contract's small size, this contract likely meant very little to the local HDR office in Folsom. No employee at the County had any ties to HDR, and there was no motive for the County to improperly award a small construction management contract to HDR.

Further, the County has been audited many times over the past ten years by both State and Federal personnel, and there has never been a finding of significance issued resulting in a fiscal penalty until now. Disallowing $69,065.85 in construction engineering costs does not seem to us to be an appropriate sanction for a first-time finding of this type. Disallowing $69,065.85 in construction engineering costs might be appropriate if your audit had shown some sort of malfeasance by the County or if this had been a repeated, pervasive issue with the County's consultant selection process as demonstrated by previous audits.

If the County is forced to return this money to the State, it will come out of the County's Road Fund, which will negatively impact the County's ability to maintain its existing roadway system.

In summary, we offer the following important points for your consideration:

- The County followed the two-step RFQ/RFP process when selecting HDR. The two County employees that participated in the selection have retired, and we cannot locate their selection records. However, the selection process was documented by records that were created contemporaneously with the selection.
- Affidavits attesting to the fact that records were kept during the selection process and that HDR was the most qualified consultant are attached to this letter (the final affidavit will be provided to the SCO the week of December 1, 2014).
- No malfeasance occurred during the selection process.
- Despite numerous past audits on large and small County transportation contracts by State and Federal agencies, the County has never heretofore been presented with a significant finding resulting in a fiscal penalty.
- Disallowing Proposition 1B funding is an excessive sanction for the County's inability to provide consultant selection records for this small contract, especially considering that this is the first time that a finding related to consultant selection has been issued against the County.
- If compelled to return the construction engineering funding, the County's ability to effectively maintain its roadway system will be compromised.

Based on this new information, the County respectfully requests that you reconsider your decision to disallow the $69,065.85 in construction engineering costs. The County also requests a meeting with you to discuss your draft findings.

Please feel free to contact me at (530) 621-5914 if you have any questions or to coordinate a meeting to discuss this matter.

Sincerely,

Steve Pedretti
Director
El Dorado County Community Development Agency

c: Kate Sampson
Ruth Young
Sherrie Busby
Bard Lower
John Kahling

State of California
County of El Dorado

I, Steven Kris Payne, declare:

I was formerly employed by El Dorado County as a Supervising Civil Engineer and I have personal knowledge of the facts and circumstances related in this declaration. If called upon to testify I would so state.

1. I was employed by El Dorado County in 2010 as a Supervising Civil Engineer. At this time, I worked in the El Dorado County Department of Transportation's West Slope Construction Division and acted as project manager for various capital improvements.

2. In August 2010, as project manager, I led the consultant selection process that resulted in El Dorado County (County) selecting HDR Construction Control Corporation (HDR) to provide construction management services including resident engineer duties for the County's White Rock Road/Windfield Way project and Durock Road/Business Center Drive project (Projects).

3. In 2010, the County's normal course and practice for selecting consultants was to follow the two-step Request for Qualifications/Request for Proposals (RFQ/RFP) process as described in the Caltrans Local Assistance Procedures Manual.

4. HDR submitted a Statement of Qualifications in response to the County's RFQ in 2007.

5. HDR was one of seven firms to whom the County sent RFPs for construction management services for the County's White Rock/Windfield and Durock/Business Center projects.

6. During the selection process, I participated on the interview panel that interviewed the firms that were competing for the contract to perform construction management services for the Projects.

7. The other panel participants were Robert Slater (Deputy Director, Engineering) and Neil Moore (Principal at Neil Moore and Associates).

8. Each panel member received a copy of each consultant firm's proposal prior to August 13, 2010.

9. I developed the questions that were asked of the consultant firms being interviewed.

10. No documents were given to the consultant firms prior to their respective interviews or during their respective interviews.

11. The selection panel interviewed consultants on August 13, 2010.

12. After each consultant's interview, the panel discussed each consultant's performance during their interview, as well as the positive and negative points about each consultant firm and each consultant's personnel proposed to work on the Projects.

13. During the selection process, all of the firms that were interviewed were asked the same questions by the interview panel.

14. I took notes during the interviews and ranked each firm based on their qualifications as demonstrated during their interview. Based on the resultant interview rankings, the panel evaluated and narrowed the selection to the top two consultant firms.

15. I recall that HDR's interview team performed well during the interview such that HDR stood out from the other firms, and the person that HDR was proposing to serve as resident engineer for Projects performed particularly well during the interview.

16. Additional analysis of the top two consultant proposals and interview results occurred by the panel during a period of post interview discussion. I concluded that HDR was the most qualified firm to provide

construction management services for the Projects. Panel member Bob Slater concurred with me. Panel member Neil Moore did not concur. HDR was selected based on a majority vote.

17. I do not specifically recall what I did with my notes and score sheets after the conclusion of the interviews. Normal course and practice was for the notes and score sheets to be placed in the file that was set up for the consultant contract, either by the interview panel member or by the administrative technician that worked for the West Slope Construction Division. Prior to my retirement from the County, I was functionally reassigned to another Department of Transportation location and responsibility. After my departure, I do recall that administrative records were scanned, boxed, and removed for archiving, but I do not know where these records may be. Nothing I remember as file record locations exist today.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 24th day of November 2014 at Placerville, California.

Steven Kris Payne

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of California
County of El Dorado

On 11/24/2014 (Date) before me, Jeannette Lyon, Notary Public (Name and Title of the Officer)

personally appeared Steven Kris Payne (Name(s) of Signer(s))

JEANNETTE LYON
Commission # 2081065
Notary Public - California
El Dorado County
My Comm. Expires Sep 8, 2018

Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(~~ies~~), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____
Signature of Notary Public

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: affidavit Document Date: 11/24/2014

Number of Pages: 2 Signer(s) Other Than Named Above: —

Capacity(ies) Claimed by Signer(s)

Signer's Name: Steven Kris Payne	Signer's Name:
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☒ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: self	Signer Is Representing:

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I, Robert S. Slater, declare:

I was formerly employed by El Dorado County as Deputy Director, Engineering and I have personal knowledge of the facts and circumstances related in this declaration. If called upon to testify I would so state.

1. I was employed by El Dorado County in 2010 as Deputy Director, Engineering. At this time, I managed the El Dorado County Department of Transportation's West Slope Construction Division.

2. In August 2010, Steven Kris Payne reported directly to me.

3. In August 2010, I participated in the consultant selection process that resulted in El Dorado County (County) selecting HDR Construction Control Corporation (HDR) to provide construction management services for the County's White Rock Road/Windfield Way project and Durock Road/Business Center Drive project (Projects).

4. In 2010, the County's normal course and practice for selecting consultants was to follow the two-step Request for Qualifications/Request for Proposals (RFQ/RFP) process as described in the Caltrans Local Assistance Procedures Manual.

5. HDR submitted a Statement of Qualifications in response to the County's RFQ in 2007.

6. HDR was one of seven firms to whom the County sent RFPs for construction management services for the County's White Rock/Windfield and Durock/Business Center projects.

7. During the selection process, I participated on the interview panel that interviewed the firms that were competing for the contract to perform construction management services for the Projects.

8. The other panel participants were Steven Kris Payne (Supervising Civil Engineer for El Dorado County) and Neil Moore (Principal at Neil Moore and Associates).

9. I received a copy of each consultant firm's proposal prior to August 13, 2010.

10. The selection panel interviewed consultants on August 13, 2010.

11. After each consultant's interview, the panel discussed each consultant's performance during their interview, as well as the positive and negative points about each consultant firm and each consultant's personnel proposed to work on the Projects.

12. During the selection process, all of the firms that were interviewed were asked the same questions by the interview panel.

13. I took notes during the interviews and ranked each firm based on their qualifications as demonstrated during their interview.

14. When the interview process was completed, Steven Kris Payne and I concluded that HDR was the most qualified firm to provide construction management services for the Projects. Panel member Neil Moore did not concur with us.

15. At the conclusion of the interviews, I provided my notes and score sheets to panel member Steven Kris Payne, as he was the project manager and he led the selection process.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 24th day of November 2014 at El Dorado Hills, California.

Robert S. Slater

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of California
County of El Dorado

On 11/24/2014 (Date) before me, Jeannette Lyon, Notary Public (Name and Title of the Officer)

personally appeared Robert S. Slater (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Signature of Notary Public)

JEANNETTE LYON
Commission # 2061065
Notary Public - California
El Dorado County
My Comm. Expires Sep 8, 2018

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit Document Date: 11/24/2014

Number of Pages: 1 Signer(s) Other Than Named Above: —

Capacity(ies) Claimed by Signer(s)

Signer's Name: Robert S. Slater	Signer's Name:
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☒ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: Self	Signer Is Representing:

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Mendoza	VCA	HDR	rank
			RE
	3		VCA Keith answered questions great, Boca project big bonus
2			Mendoza Jeff was top notch, but unknown, and big job experience?
		1	HDR Greg was bad on HNA question, DRB, etc., bad references
			ASR
3			Mendoza Nice combination of engineering and field exp.
	2		VCA Excellent refs from Bryan, Martin, on his way to PE
		1	HDR great steel experience, but not as strong refs
			OE
		3	HDR Scott Davis top notch
	1		VCA no show
1			Mendoza no show
			bench
	3		VCA Joe Reyes excellent - at Hazel
		2	HDR strong firm resources
1			Mendoza still a bit of an unknown
			environmental
	3		VCA strong SWPPP at interview
		2	HDR brought biologist to interview
1			Mendoza not as prominent as other 2
			callrans
3			Mendoza Jeff Pallesen - not a bad word - strong endorsements
	1		HDR Greg - no refs from CT, liked by Mic
		2	VCA two strong positives, two negatives
			project understanding
		3	HDR best prepared - clearest understanding of project
	2		VCA close second - marked down for early opening of w/b alf
1			Mendoza thinks 2 hrs for complete retrofit - wants to restage project
			personality/familiarity of RE w/ County
	2		VCA Keith seems easiest to work with from JK perspective
		1	HDR Jon Rohrer factor makes Greg workable
1			Mendoza Jeff is a complete unknown.
			personality of RE w/respect to Contractor
	3		VCA Boca closeout.
2			Mendoza Great refs from CT execs.
		1	HDR Good city refs.
			technical expertise of team (structures)
	3		VCA Joe + Bth >> everyone else.
2			Mendoza Kit > Edgar + Greg.
		1	HDR best structural steel experience, but little help technically
			intangibles
			VCA
			Mendoza
			HDR
			scheduling
		3	HDR scheduling expert at interview
	2		VCA Keith+Joe can do a good job
1			Mendoza focused on scheduling less that the other two firms.
18	25	20	

HDR
1. other structure reps had more technical expertise and better, more thorough CT experience
2. other Res had strong CT references and stronger CT I/C experience as Res
3. Greg had a couple of negative refs

Mendoza
1. Other firm proposed and RE who lives in town with big CT job experience and better known to County
2. Other firm proposed a structures team with a bit more experience and tech. exp. Then Kit.

COUNTY OF EL DORADO **DEPARTMENT OF TRANSPORTATION**

CONSTRUCTION DIVISION
2441 Headington Road
Placerville CA 95667
Phone: (530) 642-4987
Fax: (530) 295-2655

JAMES W. WARE, P.E.
Director of Transportation

Internet Web Site:
http://edcgov.us/dot

MAIN OFFICE
2850 Fairlane Court
Placerville CA 95667
Phone: (530) 621-5900
Fax: (530) 626-0387

July 23, 2010

Caltrop Corporation
520 Capitol Mall, Suite 150
Sacramento, CA 95814

Attention: Jeffrey Shaw, PE
General Manager

Re: Request for Proposals - Construction Support Services
Durock Road and Business Drive, Traffic Signal and Intersection Widening
White Rock Road Widening and Signalization

Dear Mr. Shaw,

The El Dorado County Department of Transportation (County) is soliciting proposals for construction support services for the following projects, both of which are planned to start construction in early fall of 2010:

- Durock Road and Business Drive, Traffic Signal and Intersection Widening
  - Description: Stage construction to improve intersection and adjacent portion of Durock Road, signalization of intersection.
  - Engineer's Estimate: $1,470,000.00
  - 120 working days
- White Rock Road Widening and Signalization
  - Description: Minor civil work near the intersection of White Rock and Post, signalization of White Rock and Windfield.
  - Engineer's Estimate: $1,000,000.00
  - 120 working days

Your firm has received this Request for Proposal as a result of the ranking of your firm's Statement of Qualifications in response to the County's Request for Qualifications that was conducted in 2007.

Draft plans and draft special provisions for both construction projects can be downloaded from ftp://dotftp.co.el-dorado.ca.us/JK072310/. Since these plans and special provisions are not yet approved, they are to be used only by your firm and any subconsultants to assist in preparation of your proposal.

Each project is funded with 50% local funds and 50% State and Local Partnership Program (SLPP) funds. All of the funding for the construction support services contract with the successful firm will come from local funds. There will be no Disadvantaged Business Enterprise component included in the contract for construction support services.

Descriptions of specific personnel solicitations are as follows:

- One resident engineer (must be a California registered civil engineer) to run both projects for the full duration of both projects. Significant preference will be given to firms that propose a resident engineer with experience running Caltrans projects and Caltrans-based projects with local agency owners.
- Two senior construction inspectors – one for each project. Preference will be given to firms that propose senior construction inspectors with experience working on Caltrans projects and Caltrans-based projects with local agency owners. Preference will also be given to firms that propose senior construction inspectors with experience inspecting electrical work.

These projects are small in size and scope, and both projects both will run through winter 2010-2011. If selected for an interview, your firm will be expected to explain how it will manage its staffing of the projects to minimize cost to the County while maintaining the proper level of administration and inspection during times which require less construction management, such as the following:

- Weather days or suspension during the winter
- One project finishing before the other
- Project suspension that might occur if the State freezes SLPP payments to local agencies due to the absence of an approved State budget.

The County will not be providing field office space for consultant staff. If selected for an interview, your firm will be expected to explain where your staff will be based and how working from that location will be managed such that your firm's services are not degraded.

The County will provide all construction staking and materials testing services for these projects. The successful firm's resident engineer and senior construction inspectors will be required to start work approximately two (2) weeks prior to the start of construction.

A sample County professional services agreement (sample agreement) will be posted at the above listed ftp site on July 28, 2010. You must state in your proposal that your firm has downloaded and reviewed the sample agreement and that your firm will execute the agreement without alterations. Fees shall be negotiated and established prior to execution of the agreement. The agreement shall be time and material based with a not to exceed amount, supported by an agreed schedule of rates and markups.

If you wish to submit a proposal, please submit the following items to me on or before 5:00 p.m. on Friday, August 3, 2010:

- Cover letter (one page maximum) that explains why your firm is especially suited to successfully provide construction support services for these projects. This letter must also confirm that your firm has downloaded and reviewed the sample agreement, and that your firm will execute the agreement without alterations.
- Resumes (two pages maximum per resume) of the resident engineer and senior construction

inspectors of the inspectors your firm will provide, including references with contact information.

Depending upon the relative quality of the proposals, the County may short list firms for interviews. If your firm submits a proposal, you will be notified on or before August 9, 2010 as to whether your firm has been selected for an interview. The County anticipates interviewing firms between August 11, 2010 and August 13, 2010 and selecting a firm for these projects shortly thereafter.

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  - Begin construction: September 2010

- White Rock Road Widening & Signalization
  - Project advertisement: August 2010
  - Bid opening: September 2010
  - Project award: September 2010
  - Begin construction: October 2010

Please contact me if you have any questions. The County looks forward to receiving your proposal.

Sincerely,

John Kahling, P.E.
Supervising Civil Engineer
2441 Headington Road
Placerville, CA 95667
Office: (530) 642-4974
Cell: (530) 957-3711
Email: john.kahling@edcgov.us

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Phone: (530) 621-5900
Fax: (530) 626-0387

July 23, 2010

Harris & Associates
4600 Northgate Blvd., Suite 100
Sacramento, CA 95834-1121

Attention: Gregory Ow, PE
Vice President

Re: Request for Proposals - Construction Support Services
Durock Road and Business Drive, Traffic Signal and Intersection Widening
White Rock Road Widening and Signalization

Dear Mr. Ow,

The El Dorado County Department of Transportation (County) is soliciting proposals for construction support services for the following projects, both of which are planned to start construction in early fall of 2010:

- Durock Road and Business Drive, Traffic Signal and Intersection Widening
  - Description: Stage construction to improve intersection and adjacent portion of Durock Road, signalization of intersection.
  - Engineer's Estimate: $1,470,000.00
  - 120 working days
- White Rock Road Widening and Signalization
  - Description: Minor civil work near the intersection of White Rock and Post, signalization of White Rock and Windfield.
  - Engineer's Estimate: $1,000,000.00
  - 120 working days

Your firm has received this Request for Proposal as a result of the ranking of your firm's Statement of Qualifications in response to the County's Request for Qualifications that was conducted in 2007.

Draft plans and draft special provisions for both construction projects can be downloaded from ftp://dotftp.co.el-dorado.ca.us/JK072310/. Since these plans and special provisions are not yet approved, they are to be used only by your firm and any subconsultants to assist in preparation of your proposal.

Each project is funded with 50% local funds and 50% State and Local Partnership Program (SLPP) funds. All of the funding for the construction support services contract with the successful firm will come from local funds. There will be no Disadvantaged Business Enterprise component included in the contract for construction support services.

Descriptions of specific personnel solicitations are as follows:

- One resident engineer (must be a California registered civil engineer) to run both projects for the full duration of both projects. Significant preference will be given to firms that propose a resident engineer with experience running Caltrans projects and Caltrans-based projects with local agency owners.
- Two senior construction inspectors – one for each project. Preference will be given to firms that propose senior construction inspectors with experience working on Caltrans projects and Caltrans-based projects with local agency owners. Preference will also be given to firms that propose senior construction inspectors with experience inspecting electrical work.

These projects are small in size and scope, and both projects both will run through winter 2010-2011. If selected for an interview, your firm will be expected to explain how it will manage its staffing of the projects to minimize cost to the County while maintaining the proper level of administration and inspection during times which require less construction management, such as the following:

- Weather days or suspension during the winter
- One project finishing before the other
- Project suspension that might occur if the State freezes SLPP payments to local agencies due to the absence of an approved State budget.

The County will not be providing field office space for consultant staff. If selected for an interview, your firm will be expected to explain where your staff will be based and how working from that location will be managed such that your firm's services are not degraded.

The County will provide all construction staking and materials testing services for these projects. The successful firm's resident engineer and senior construction inspectors will be required to start work approximately two (2) weeks prior to the start of construction.

A sample County professional services agreement (sample agreement) will be posted at the above listed ftp site on July 28, 2010. You must state in your proposal that your firm has downloaded and reviewed the sample agreement and that your firm will execute the agreement without alterations. Fees shall be negotiated and established prior to execution of the agreement. The agreement shall be time and material based with a not to exceed amount, supported by an agreed schedule of rates and markups.

If you wish to submit a proposal, please submit the following items to me on or before 5:00 p.m. on Friday, August 3, 2010:

- Cover letter (one page maximum) that explains why your firm is especially suited to successfully provide construction support services for these projects. This letter must also confirm that your firm has downloaded and reviewed the sample agreement, and that your firm will execute the agreement without alterations.
- Resumes (two pages maximum per resume) of the resident engineer and senior construction

inspectors of the inspectors your firm will provide, including references with contact information.

Depending upon the relative quality of the proposals, the County may short list firms for interviews. If your firm submits a proposal, you will be notified on or before August 9, 2010 as to whether your firm has been selected for an interview. The County anticipates interviewing firms between August 11, 2010 and August 13, 2010 and selecting a firm for these projects shortly thereafter.

The current project delivery schedule is as follows:

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  - Project advertisement: August 2010
  - Bid opening: September 2010
  - Project award: September 2010
  - Begin construction: October 2010

Please contact me if you have any questions. The County looks forward to receiving your proposal.

Sincerely,

John Kahling, P.E.
Supervising Civil Engineer
2441 Headington Road
Placerville, CA 95667
Office: (530) 642-4974
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Fax: (530) 626-0387

July 23, 2010

HDR
2365 Iron Point Road, Suite 300
Folsom CA 95630

Attention: Timothy Fleming, PE
Senior Vice President

Re: Request for Proposals - Construction Support Services
Durock Road and Business Drive, Traffic Signal and Intersection Widening
White Rock Road Widening and Signalization

Dear Mr. Fleming:

The El Dorado County Department of Transportation (County) is soliciting proposals for construction support services for the following projects, both of which are planned to start construction in early fall of 2010:

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  - Description: Minor civil work near the intersection of White Rock and Post, signalization of White Rock and Windfield.
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Your firm has received this Request for Proposal as a result of the ranking of your firm's Statement of Qualifications in response to the County's Request for Qualifications that was conducted in 2007.

Draft plans and draft special provisions for both construction projects can be downloaded from ftp://dotftp.co.el-dorado.ca.us/JK072310/. Since these plans and special provisions are not yet approved, they are to be used only by your firm and any subconsultants to assist in preparation of your proposal.

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Descriptions of specific personnel solicitations are as follows:

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Please contact me if you have any questions. The County looks forward to receiving your proposal.

Sincerely,

John Kahling, P.E.
Supervising Civil Engineer
2441 Headington Road
Placerville, CA 95667
Office: (530) 642-4974
Cell: (530) 957-3711
Email: john.kahling@edcgov.us

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MAIN OFFICE
2850 Fairlane Court
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Phone: (530) 621-5900
Fax: (530) 626-0387

July 23, 2010

Mendoza & Associates
8795 Folsom Blvd, Suite 102
Sacramento, CA 95826

Attention: Richard Mendoza, PE
President

Re: Request for Proposals - Construction Support Services
Durock Road and Business Drive, Traffic Signal and Intersection Widening
White Rock Road Widening and Signalization

Dear Mr. Mendoza,

The El Dorado County Department of Transportation (County) is soliciting proposals for construction support services for the following projects, both of which are planned to start construction in early fall of 2010:

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Please contact me if you have any questions. The County looks forward to receiving your proposal.

Sincerely,

John Kahling, P.E.
Supervising Civil Engineer
2441 Headington Road
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Office: (530) 642-4974
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Email: john.kahling@edcgov.us

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Phone: (530) 621-5900
Fax: (530) 626-0387

July 23, 2010

PB Americas, Inc.
3820 Rosin Court
Sacramento, CA 95834

Attention: Glenn W, Suitor, PE
Senior Vice President

Re: Request for Proposals - Construction Support Services
Durock Road and Business Drive, Traffic Signal and Intersection Widening
White Rock Road Widening and Signalization

Dear Mr. Suitor,

The El Dorado County Department of Transportation (County) is soliciting proposals for construction support services for the following projects, both of which are planned to start construction in early fall of 2010:

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Descriptions of specific personnel solicitations are as follows:

- One resident engineer (must be a California registered civil engineer) to run both projects for the full duration of both projects. Significant preference will be given to firms that propose a resident engineer with experience running Caltrans projects and Caltrans-based projects with local agency owners.
- Two senior construction inspectors – one for each project. Preference will be given to firms that propose senior construction inspectors with experience working on Caltrans projects and Caltrans-based projects with local agency owners. Preference will also be given to firms that propose senior construction inspectors with experience inspecting electrical work.

These projects are small in size and scope, and both projects both will run through winter 2010-2011. If selected for an interview, your firm will be expected to explain how it will manage its staffing of the projects to minimize cost to the County while maintaining the proper level of administration and inspection during times which require less construction management, such as the following:

- Weather days or suspension during the winter
- One project finishing before the other
- Project suspension that might occur if the State freezes SLPP payments to local agencies due to the absence of an approved State budget.

The County will not be providing field office space for consultant staff. If selected for an interview, your firm will be expected to explain where your staff will be based and how working from that location will be managed such that your firm's services are not degraded.

The County will provide all construction staking and materials testing services for these projects. The successful firm's resident engineer and senior construction inspectors will be required to start work approximately two (2) weeks prior to the start of construction.

A sample County professional services agreement (sample agreement) will be posted at the above listed ftp site on July 28, 2010. You must state in your proposal that your firm has downloaded and reviewed the sample agreement and that your firm will execute the agreement without alterations. Fees shall be negotiated and established prior to execution of the agreement. The agreement shall be time and material based with a not to exceed amount, supported by an agreed schedule of rates and markups.

If you wish to submit a proposal, please submit the following items to me on or before 5:00 p.m. on Friday, August 3, 2010:

- Cover letter (one page maximum) that explains why your firm is especially suited to successfully provide construction support services for these projects. This letter must also confirm that your firm has downloaded and reviewed the sample agreement, and that your firm will execute the agreement without alterations.
- Resumes (two pages maximum per resume) of the resident engineer and senior construction

inspectors of the inspectors your firm will provide, including references with contact information.

Depending upon the relative quality of the proposals, the County may short list firms for interviews. If your firm submits a proposal, you will be notified on or before August 9, 2010 as to whether your firm has been selected for an interview. The County anticipates interviewing firms between August 11, 2010 and August 13, 2010 and selecting a firm for these projects shortly thereafter.

The current project delivery schedule is as follows:

- Durock Road and Business Drive, Traffic Signal and Intersection Widening
  - Project advertisement: July 2010
  - Bid opening: August 2010
  - Project award: August 2010
  - Begin construction: September 2010

- White Rock Road Widening & Signalization
  - Project advertisement: August 2010
  - Bid opening: September 2010
  - Project award: September 2010
  - Begin construction: October 2010

Please contact me if you have any questions. The County looks forward to receiving your proposal.

Sincerely,

John Kahling, P.E.
Supervising Civil Engineer
2441 Headington Road
Placerville, CA 95667
Office: (530) 642-4974
Cell: (530) 957-3711
Email: john.kahling@edcgov.us

COUNTY OF EL DORADO DEPARTMENT OF TRANSPORTATION

CONSTRUCTION DIVISION
2441 Headington Road
Placerville CA 95667
Phone: (530) 642-4987
Fax: (530) 295-2655

JAMES W. WARE, P.E.
Director of Transportation

Internet Web Site:
http://edcgov.us/dot

MAIN OFFICE
2850 Fairlane Court
Placerville CA 95667
Phone: (530) 621-5900
Fax: (530) 626-0387

July 23, 2010

PSOMAS
2295 Gateway Oaks Drive, Suite 250
Sacramento, CA 95833

Attention: Andrew Gust, PE
Vice President

Re: Request for Proposals - Construction Support Services
Durock Road and Business Drive, Traffic Signal and Intersection Widening
White Rock Road Widening and Signalization

Dear Mr. Gust,

The El Dorado County Department of Transportation (County) is soliciting proposals for construction support services for the following projects, both of which are planned to start construction in early fall of 2010:

- Durock Road and Business Drive, Traffic Signal and Intersection Widening
  - Description: Stage construction to improve intersection and adjacent portion of Durock Road, signalization of intersection.
  - Engineer's Estimate: $1,470,000.00
  - 120 working days
- White Rock Road Widening and Signalization
  - Description: Minor civil work near the intersection of White Rock and Post, signalization of White Rock and Windfield.
  - Engineer's Estimate: $1,000,000.00
  - 120 working days

Your firm has received this Request for Proposal as a result of the ranking of your firm's Statement of Qualifications in response to the County's Request for Qualifications that was conducted in 2007.

Draft plans and draft special provisions for both construction projects can be downloaded from ftp://dotftp.co.el-dorado.ca.us/JK072310/. Since these plans and special provisions are not yet approved, they are to be used only by your firm and any subconsultants to assist in preparation of your proposal.

Each project is funded with 50% local funds and 50% State and Local Partnership Program (SLPP) funds. All of the funding for the construction support services contract with the successful firm will come from local funds. There will be no Disadvantaged Business Enterprise component included in the contract for construction support services.

Descriptions of specific personnel solicitations are as follows:

- One resident engineer (must be a California registered civil engineer) to run both projects for the full duration of both projects. Significant preference will be given to firms that propose a resident engineer with experience running Caltrans projects and Caltrans-based projects with local agency owners.
- Two senior construction inspectors – one for each project. Preference will be given to firms that propose senior construction inspectors with experience working on Caltrans projects and Caltrans-based projects with local agency owners. Preference will also be given to firms that propose senior construction inspectors with experience inspecting electrical work.

These projects are small in size and scope, and both projects both will run through winter 2010-2011. If selected for an interview, your firm will be expected to explain how it will manage its staffing of the projects to minimize cost to the County while maintaining the proper level of administration and inspection during times which require less construction management, such as the following:

- Weather days or suspension during the winter
- One project finishing before the other
- Project suspension that might occur if the State freezes SLPP payments to local agencies due to the absence of an approved State budget.

The County will not be providing field office space for consultant staff. If selected for an interview, your firm will be expected to explain where your staff will be based and how working from that location will be managed such that your firm's services are not degraded.

The County will provide all construction staking and materials testing services for these projects. The successful firm's resident engineer and senior construction inspectors will be required to start work approximately two (2) weeks prior to the start of construction.

A sample County professional services agreement (sample agreement) will be posted at the above listed ftp site on July 28, 2010. You must state in your proposal that your firm has downloaded and reviewed the sample agreement and that your firm will execute the agreement without alterations. Fees shall be negotiated and established prior to execution of the agreement. The agreement shall be time and material based with a not to exceed amount, supported by an agreed schedule of rates and markups.

If you wish to submit a proposal, please submit the following items to me on or before 5:00 p.m. on Friday, August 3, 2010:

- Cover letter (one page maximum) that explains why your firm is especially suited to successfully provide construction support services for these projects. This letter must also confirm that your firm has downloaded and reviewed the sample agreement, and that your firm will execute the agreement without alterations.
- Resumes (two pages maximum per resume) of the resident engineer and senior construction

inspectors of the inspectors your firm will provide, including references with contact information.

Depending upon the relative quality of the proposals, the County may short list firms for interviews. If your firm submits a proposal, you will be notified on or before August 9, 2010 as to whether your firm has been selected for an interview. The County anticipates interviewing firms between August 11, 2010 and August 13, 2010 and selecting a firm for these projects shortly thereafter.

The current project delivery schedule is as follows:

- Durock Road and Business Drive, Traffic Signal and Intersection Widening
  - Project advertisement: July 2010
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  - Begin construction: September 2010

- White Rock Road Widening & Signalization
  - Project advertisement: August 2010
  - Bid opening: September 2010
  - Project award: September 2010
  - Begin construction: October 2010

Please contact me if you have any questions. The County looks forward to receiving your proposal.

Sincerely,

John Kahling, P.E.
Supervising Civil Engineer
2441 Headington Road
Placerville, CA 95667
Office: (530) 642-4974
Cell: (530) 957-3711
Email: john.kahling@edcgov.us

COUNTY OF EL DORADO **DEPARTMENT OF TRANSPORTATION**

CONSTRUCTION DIVISION
2441 Headington Road
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JAMES W. WARE, P.E.
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Phone: (530) 621-5900
Fax: (530) 626-0387

July 23, 2010

Vali Cooper & Associates, Inc.
41 Washington Avenue
Point Richmond, CA 94801

Attention: Agnes Weber, PE
President

Re: Request for Proposals - Construction Support Services
Durock Road and Business Drive, Traffic Signal and Intersection Widening
White Rock Road Widening and Signalization

Dear Ms. Weber,

The El Dorado County Department of Transportation (County) is soliciting proposals for construction support services for the following projects, both of which are planned to start construction in early fall of 2010:

- Durock Road and Business Drive, Traffic Signal and Intersection Widening
  - Description: Stage construction to improve intersection and adjacent portion of Durock Road, signalization of intersection.
  - Engineer's Estimate: $1,470,000.00
  - 120 working days
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  - Description: Minor civil work near the intersection of White Rock and Post, signalization of White Rock and Windfield.
  - Engineer's Estimate: $1,000,000.00
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Your firm has received this Request for Proposal as a result of the ranking of your firm's Statement of Qualifications in response to the County's Request for Qualifications that was conducted in 2007.

Draft plans and draft special provisions for both construction projects can be downloaded from ftp://dotftp.co.el-dorado.ca.us/JK072310/. Since these plans and special provisions are not yet approved, they are to be used only by your firm and any subconsultants to assist in preparation of your proposal.

Each project is funded with 50% local funds and 50% State and Local Partnership Program (SLPP) funds. All of the funding for the construction support services contract with the successful firm will come from local funds. There will be no Disadvantaged Business Enterprise component included in the contract for construction support services.

Descriptions of specific personnel solicitations are as follows:

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These projects are small in size and scope, and both projects both will run through winter 2010-2011. If selected for an interview, your firm will be expected to explain how it will manage its staffing of the projects to minimize cost to the County while maintaining the proper level of administration and inspection during times which require less construction management, such as the following:

- Weather days or suspension during the winter
- One project finishing before the other
- Project suspension that might occur if the State freezes SLPP payments to local agencies due to the absence of an approved State budget.

The County will not be providing field office space for consultant staff. If selected for an interview, your firm will be expected to explain where your staff will be based and how working from that location will be managed such that your firm's services are not degraded.

The County will provide all construction staking and materials testing services for these projects. The successful firm's resident engineer and senior construction inspectors will be required to start work approximately two (2) weeks prior to the start of construction.

A sample County professional services agreement (sample agreement) will be posted at the above listed ftp site on July 28, 2010. You must state in your proposal that your firm has downloaded and reviewed the sample agreement and that your firm will execute the agreement without alterations. Fees shall be negotiated and established prior to execution of the agreement. The agreement shall be time and material based with a not to exceed amount, supported by an agreed schedule of rates and markups.

If you wish to submit a proposal, please submit the following items to me on or before 5:00 p.m. on Friday, August 3, 2010:

- Cover letter (one page maximum) that explains why your firm is especially suited to successfully provide construction support services for these projects. This letter must also confirm that your firm has downloaded and reviewed the sample agreement, and that your firm will execute the agreement without alterations.
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inspectors of the inspectors your firm will provide, including references with contact information.

Depending upon the relative quality of the proposals, the County may short list firms for interviews. If your firm submits a proposal, you will be notified on or before August 9, 2010 as to whether your firm has been selected for an interview. The County anticipates interviewing firms between August 11, 2010 and August 13, 2010 and selecting a firm for these projects shortly thereafter.

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- White Rock Road Widening & Signalization
  - Project advertisement: August 2010
  - Bid opening: September 2010
  - Project award: September 2010
  - Begin construction: October 2010

Please contact me if you have any questions. The County looks forward to receiving your proposal.

Sincerely,

John Kahling, P.E.
Supervising Civil Engineer
2441 Headington Road
Placerville, CA 95667
Office: (530) 642-4974
Cell: (530) 957-3711
Email: john.kahling@edcgov.us

County of El Dorado

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.edcgov.us/bos/

Master Report

File Number: 10-0858

***File ID #:**	10-0858	**Agenda Type:**	Agenda Item	**Status:**	Approved
Version:	1	**Reference:**		**Gov Body:**	Board of Supervisors
				Created:	07/29/2010
Agenda Title:	DOT 11/2/10 HDR Construction Control Corporation			**Final Action:**	11/02/2010

Title: Department of Transportation recommending the Board take the following actions:
1) Approve and authorize the Chair to sign Agreement for Services AGMT 10-53008 with HDR Construction Control Corporation in an amount not to exceed $174,215 for a term commencing upon Board approval to the later of ninety (90) days after County's recordation of the Notice of Acceptance for the Project, or the resolution of all construction claims, if any, associated with the Project, to augment the Department of Transportation's construction management resources for the Durock Road/Business Drive Intersection Signalization Project (JN 73354); and
2) Approve and authorize the Chair to sign Agreement for Services AGMT 10-53056 with HDR Construction Control Corporation in an amount not to exceed $127,285 for a term commencing upon Board approval to the later of ninety (90) days after County's recordation of the Notice of Acceptance for the Project, or the resolution of all construction claims, if any, associated with the Project, to augment the Department of Transportation's construction management resources for the White Rock Road Widening (2 to 4 lanes) - Latrobe Road to Monte Verde Drive/Windfield Intersection Signalization Project (JN 72372).

FUNDING: State-Local Partnership Program grant funds, Zones 1-7 Traffic Impact Mitigation Fees and Blackstone prepaid El Dorado Hills Traffic Impact Mitigation Fees.

Notes:

Sponsors: ::

Attachments: A - AGMT 10-53008 Approved Blue, B - AGMT 10-53008, C - AGMT 10-53056 Approved Blue, D - AGMT 10-53056 ::

::

Contact: Kris Payne, Ext. 4940 ::

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Board of Supervisors	11/02/2010	Approved				Pass
	Action Text: This matter was Approved on the consent calendar.						
			Yes: 5 - Supervisor Knight, Supervisor Nutting, Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago				5

Text of Legislative File 10-0858

Department of Transportation recommending the Board take the following actions:
1) Approve and authorize the Chair to sign Agreement for Services AGMT 10-53008 with HDR Construction Control Corporation in an amount not to exceed $174,215 for a term commencing upon Board approval to the later of ninety (90) days after County's recordation of the Notice of Acceptance for the Project, or the resolution of all construction claims, if any, associated with the Project, to augment the Department of Transportation's construction management resources for the Durock Road/Business Drive Intersection Signalization Project (JN 73354); and
2) Approve and authorize the Chair to sign Agreement for Services AGMT 10-53056 with HDR Construction Control Corporation in an amount not to exceed $127,285 for a term commencing upon Board approval to the later of ninety (90) days after County's recordation of the Notice of Acceptance for the Project, or the resolution of all construction claims, if any, associated with the Project, to augment the Department of Transportation's construction management resources for the White Rock Road Widening (2 to 4 lanes) - Latrobe Road to Monte Verde Drive/Windfield Intersection Signalization Project (JN 72372).

FUNDING: State-Local Partnership Program grant funds, Zones 1-7 Traffic Impact Mitigation Fees and Blackstone prepaid El Dorado Hills Traffic Impact Mitigation Fees.
BUDGET SUMMARY:
Total Estimated Cost $301,500

Funding
Budgeted* $301,500
New Funding $
Savings $
Other $
Total Funding Available $301,500
Change To Net County Cost $0
*Included in Fiscal Year (FY) 2010-11 Budget and the adopted 2010 Capital Improvement Program (CIP).

Fiscal Impact/Change to Net County Cost:
The Department of Transportation (Department) budgeted $174,215 in FY 2010-11 for the Durock Road/Business Drive Intersection Signalization Project and funding for this Agreement will be provided by State-Local Partnership Program grant funds and Zones 1-7 Traffic Impact Mitigation Fees. The Department budgeted $127,285 in FY 2010-11 for the

White Rock Rd Widening (2 to 4 lanes) - Latrobe Road to Monte Verde Drive/Windfield Intersection Signalization Project and funding for this Agreement will be provided by State-Local Partnership Program grant funds and El Dorado Hills Traffic Impact Mitigation Fees, which were prepaid by West Valley, LLC. There is no Net County Cost associated with this agenda item.

Background:
The Procurement and Contracts Division conducted a Request for Qualifications (RFQ) process for the Department in 2007. HDR Construction Control Corporation (AKA HDR Engineering) was ranked number eighteen (18) on the Construction Management and Other Construction Services RFQ shortlist. Using this RFQ shortlist, in June 2009 Request for Proposals (RFP) letters for the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project were sent to nineteen (19) consultant firms for construction support services. HDR Construction Control Corporation (HDR) was ranked number three (3) on the final shortlist from this RFP process. With approval from the Procurement and Contracts Division, the Department's Construction Division conducted a RFP process using the 2009 shortlist of seven (7) firms. RFPs were sent to all seven (7) of the consultant firms for construction support services for the Durock Road/Business Drive Intersection Signalization Project and the White Rock Rd Widening (2 to 4 lanes) - Latrobe Road to Monte Verde Drive/Windfield Intersection Signalization Project (Projects) on July 23, 2010. Proposals were received from six (6) firms and all were interviewed. Two Department staff members and a member of the El Dorado County Surveyors, Architects, Geologists and Engineers (S.A.G.E.) Association conducted the interviews and the evaluation and selection process was conducted on August 13, 2010. It was determined that HDR had the most qualified staff to assist the Department in successfully administering and inspecting the Projects.

Reason for Recommendation:
The Department proposes to enter into these Agreements to provide additional construction engineering and construction support services to properly administer these Projects. Due to the number of qualified staff already allocated to other projects, the anticipated short duration of these Projects, the seasonal nature of the work, and peaks in CIP construction activity, there is a need for resource augmentation in the form of these consultant services Agreements.

The Department is currently in the process of evaluating the sustainability of its CIP and its staffing needs and is not comfortable hiring new staff. Many of the skills that are required for these Projects are identified in County classifications; however, the Department does not have staff available that possess these requisite skills. Hiring the additional highly technical, specialized staff necessary to support these Projects cannot be justified, especially given that the Department cannot be certain of the need for such staff after the completion of these Projects, due to the uncertainty of future project delivery given the current economic climate.

As mentioned above, existing qualified Construction Division staff will be fully tasked working on several other projects currently under construction or proposed or slated to start construction in 2011, including, but not limited to, the following:

- U.S. 50 HOV Lanes (Phase 1) - El Dorado Hills to Bass Lake Grade Project
- U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project
- Concrete Overlay - Latrobe Road (3.7 Miles) Project
- Silva Valley Parkway Widening (2 to 4 Lanes) Project

Under these Agreements, the Department may utilize HDR to perform various construction engineering and construction support services on the Projects. Tasks may include, but are not limited to, the following: pre-construction services; construction administration and engineering services; construction inspection; water pollution control; analysis of claims, schedules and the Projects' Plans, Specifications & Estimates (PS&E) packages; and post-construction Project closeout activities.

Under these Agreements, HDR will provide one Resident Engineer who will work on both Projects and, if needed, one Construction Inspector for each Project. If needed, the two Construction Inspectors may also perform some construction inspection duties on the other Project, depending on the County's Construction Contractors' schedules for both Projects and night work requirements.

Although some of the services to be performed under these Agreements are Bargaining Unit work, other services to be provided require expertise that County staff does not have, including, but not limited to, performing analyses of surface and ground water samples related to storm water runoff from the construction site and performing in-depth analyses and reviews of complex construction schedules, including critical path analysis of the staging sequences.

The Department recommends the Board make findings pursuant to Article II, Section 210 b (6) of the El Dorado County Charter that there are specialty skills required for the work performed under these Agreements that are not expressly identified in County classifications.

Pursuant to the RFQ and RFP processes described in the Background Section above, these Agreements are in compliance with Board of Supervisors Policy C-17, Sections 7.5 and 7.10.

The El Dorado County Employees Association, Local #1, has been informed of these proposed Agreements.

Action to be taken following Board approval:
1) The Chair will sign the two (2) originals of both Agreement for Services # AGMT 10-53008 and Agreement for Services # AGMT 10-53056.
2) The Board Clerk will forward one (1) original of the fully executed Agreement for Services # AGMT 10-53008 and one (1) original of the fully executed Agreement for Services # AGMT 10-53056 to the Department for further processing.

Contact:
James W. Ware, P.E.
Director of Transportation

Concurrences: County Counsel and Risk Management

COMMUNITY DEVELOPMENT AGENCY

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-5900, Fax (530) 626-0387

January 13, 2015

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Andrew Finlayson
Chief, State Agency Audits Bureau
California State Controller's Office
P.O Box 942850
Sacramento, CA 94250-5874

Re: Letter of Transmittal

Mr. Finlayson:

Please find attached the affidavit requested by Jan Goto in her e-mail of Tuesday, January 12 verifying that El Dorado County followed all requirements in the consultant selection process for the Durock/Business Center project. If any further documentation is needed please contact me immediately at (530) 621-5914.

Sincerely,

Steve Pedretti
Director
El Dorado County Community Development Agency

c: Kate Sampson
Ruth Young
Sherrie Busby
Bard Lower
John Kahling

State of California
County of El Dorado

I, Steven Kris Payne, declare:

I was formerly employed by El Dorado County as a Supervising Civil Engineer and I have personal knowledge of the facts and circumstances related in this declaration. If called upon to testify I would so state.

1. I was employed by El Dorado County in 2010 as a Supervising Civil Engineer. At this time, I worked in the El Dorado County Department of Transportation's West Slope Construction Division and acted as project manager for various capital improvements.

2. In August 2010, as project manager, I led the consultant selection process that resulted in El Dorado County (County) selecting HDR Construction Control Corporation (HDR) to provide construction management services including resident engineer duties for the County's White Rock Road/Windfield Way project and Durock Road/Business Center Drive project (Projects).

3. In 2010, the County's normal course and practice for selecting consultants was to follow the two-step Request for Qualifications/Request for Proposals (RFQ/RFP) process as described in the Caltrans Local Assistance Procedures Manual.

4. HDR submitted a Statement of Qualifications in response to the County's RFQ in 2007.

5. HDR was one of seven firms to whom the County sent RFPs for construction management services for the County's White Rock/Windfield and Durock/Business Center projects.

6. During the selection process, I participated on the interview panel that interviewed the firms that were competing for the contract to perform construction management services for the Projects.

7. The other panel participants were Robert Slater (Deputy Director, Engineering) and Neil Moore (Principal at Neil Moore and Associates).

8. Each panel member received a copy of each consultant firm's proposal prior to August 13, 2010.

9. I developed the questions that were asked of the consultant firms being interviewed.

10. No documents were given to the consultant firms prior to their respective interviews or during their respective interviews.

11. The selection panel interviewed consultants on August 13, 2010.

12. After each consultant's interview, the panel discussed each consultant's performance during their interview, as well as the positive and negative points about each consultant firm and each consultant's personnel proposed to work on the Projects.

13. During the selection process, all of the firms that were interviewed were asked the same questions by the interview panel.

14. I took notes during the interviews and ranked each firm based on their qualifications as demonstrated during their interview. Based on the resultant interview rankings, the panel evaluated and narrowed the selection to the top two consultant firms.

15. I recall that HDR's interview team performed well during the interview such that HDR stood out from the other firms, and the person that HDR was proposing to serve as resident engineer for Projects performed particularly well during the interview.

16. Additional analysis of the top two consultant proposals and interview results occurred by the panel during a period of post interview discussion. I concluded that HDR was the most qualified firm to provide

construction management services for the Projects. Panel member Bob Slater concurred with me. Panel member Neil Moore did not concur. HDR was selected based on a majority vote.

17. I do not specifically recall what I did with my notes and score sheets after the conclusion of the interviews. Normal course and practice was for the notes and score sheets to be placed in the file that was set up for the consultant contract, either by the interview panel member or by the administrative technician that worked for the West Slope Construction Division. Prior to my retirement from the County, I was functionally reassigned to another Department of Transportation location and responsibility. After my departure, I do recall that administrative records were scanned, boxed, and removed for archiving, but I do not know where these records may be. Nothing I remember as file record locations exist today.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed this 24th day of November 2014 at Placerville, California.

Steven Kris Payne

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of California
County of El Dorado

On 11/24/2014 (Date) before me, Jeannette Lyon, Notary Public (Name and Title of the Officer)

personally appeared Steven Kris Payne (Name(s) of Signer(s))

JEANNETTE LYON
Commission # 2081085
Notary Public - California
El Dorado County
My Comm. Expires Sep 8, 2018

Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Signature of Notary Public)

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: affidavit Document Date: 11/24/2014

Number of Pages: 2 Signer(s) Other Than Named Above: —

Capacity(ies) Claimed by Signer(s)

Signer's Name: Steven Kris Payne	Signer's Name:
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☒ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: Self	Signer Is Representing:

© 2013 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5907

I, Robert S. Slater, declare:

I was formerly employed by El Dorado County as Deputy Director, Engineering and I have personal knowledge of the facts and circumstances related in this declaration. If called upon to testify I would so state.

1. I was employed by El Dorado County in 2010 as Deputy Director, Engineering. At this time, I managed the El Dorado County Department of Transportation's West Slope Construction Division.

2. In August 2010, Steven Kris Payne reported directly to me.

3. In August 2010, I participated in the consultant selection process that resulted in El Dorado County (County) selecting HDR Construction Control Corporation (HDR) to provide construction management services for the County's White Rock Road/Windfield Way project and Durock Road/Business Center Drive project (Projects).

4. In 2010, the County's normal course and practice for selecting consultants was to follow the two-step Request for Qualifications/Request for Proposals (RFQ/RFP) process as described in the Caltrans Local Assistance Procedures Manual.

5. HDR submitted a Statement of Qualifications in response to the County's RFQ in 2007.

6. HDR was one of seven firms to whom the County sent RFPs for construction management services for the County's White Rock/Windfield and Durock/Business Center projects.

7. During the selection process, I participated on the interview panel that interviewed the firms that were competing for the contract to perform construction management services for the Projects.

8. The other panel participants were Steven Kris Payne (Supervising Civil Engineer for El Dorado County) and Neil Moore (Principal at Neil Moore and Associates).

9. I received a copy of each consultant firm's proposal prior to August 13, 2010.

10. The selection panel interviewed consultants on August 13, 2010.

11. After each consultant's interview, the panel discussed each consultant's performance during their interview, as well as the positive and negative points about each consultant firm and each consultant's personnel proposed to work on the Projects.

12. During the selection process, all of the firms that were interviewed were asked the same questions by the interview panel.

13. I took notes during the interviews and ranked each firm based on their qualifications as demonstrated during their interview.

14. When the interview process was completed, Steven Kris Payne and I concluded that HDR was the most qualified firm to provide construction management services for the Projects. Panel member Neil Moore did not concur with us.

15. At the conclusion of the interviews, I provided my notes and score sheets to panel member Steven Kris Payne, as he was the project manager and he led the selection process.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed this 24th day of November 2014 at El Dorado Hills, California.

Robert S. Slater

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of California
County of El Dorado

On 11/24/2014 (Date) before me, Jeannette Lyon, Notary Public (Name and Title of the Officer)

personally appeared Robert S. Slater (Name(s) of Signer(s))

JEANNETTE LYON
Commission # 2061065
Notary Public - California
El Dorado County
My Comm. Expires Sep 8, 2018

Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____
Signature of Notary Public

OPTIONAL

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Description of Attached Document

Title or Type of Document: Affidavit Document Date: 11/24/2014

Number of Pages: 1 Signer(s) Other Than Named Above: —

Capacity(ies) Claimed by Signer(s)

Signer's Name: Robert S. Slater	Signer's Name:
☐ Corporate Officer — Title(s):	☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☒ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other:	☐ Other:
Signer Is Representing: Self	Signer Is Representing:

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I, Neil Moore, declare:

I am the owner of Neil Moore & Associates, Consulting Structural Engineers and I have personal knowledge of the facts and circumstances related in this declaration. If called upon to testify I would so state.

1. I am a member of the El Dorado County SAGE (Surveyors, Architects, Geologists, Engineers) Association and I am acquainted with Steven Kris Payne through this organization.

2. On August 13, 2010, at Mr. Payne's request with the understanding that this request was at the behest of the El Dorado County Board of Supervisors, I participated in the consultant selection process that resulted in El Dorado County (County) selecting HDR Construction Control Corporation (HDR) to provide construction management services for the County's White Rock Road/Windfield Way and Durock Road/Business Center Drive projects. Mr. Payne contacted me by phone on the afternoon of August 10th, 2010 and invited me to participate in this task. According to my telephone record for that day, a Mr. Bob Slater, an engineer with the Department of Transportation would make up the group of three. There were to be six firms to be interviewed.

3. During the selection process, I participated on the interview panel that interviewed the firms that were competing for the contract to perform construction management services for the two projects. This interview process took place between the hours of 8:15 am to 5:30 pm per my attached time sheet for that day. I do not remember if all six of the firms appeared.

4. Each firm gave some sort of presentation and I may have received a copy of each consultant firm's proposal on the day of the interviews, August 13th, 2010.

5. During the selection process, all of the firms that were interviewed were asked the same general questions by the interview panel.

6. I took a few notes during the interviews.

7. I do not remember discussing each consultant's performance after their presentation with the other interviewers, although I may have.

8. When the interview process was completed, my selection was the current contractor working on the Missouri Flat Interchange. Some days or even weeks later, Kris Payne informed me that they had selected the HDR firm. I believe at upon hearing this, I told Kris that I would have not selected them.

9. I do not specifically recall what I did with my notes and score sheets after the conclusion of the interviews.

10. Attached are three telephone record sheets for the period 8-10-10 through 8-12-10 and a Daily Time Sheet for 8-13-10.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed this 5TH day of ~~November~~ DECEMBER 2014 at SHINGLE SPRINGS, California.

Neil Moore

Neil Moore, PE, SE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of California
County of El Dorado

On 12/05/2014 (Date) before me, Jeannette Lyon, Notary Public (Name and Title of the Officer)

personally appeared Niel Moore (Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Signature of Notary Public)

JEANNETTE LYON
Commission # 2001065
Notary Public - California
El Dorado County
My Comm. Expires Sep 8, 2018

Place Notary Seal Above

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☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☒ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other:	☐ Other:
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