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PRESS RELEASE

Update on Tuolumne Road Surface Treatment Project

FOR IMMEDIATE RELEASE

July 10, 2024

Tuolumne County Board of Supervisors and Public Works Department Provides Update on Tuolumne Road Surface Treatment Project

In an effort to ensure the safety of Tuolumne County citizens, provide proper stewardship of taxpayer dollars and keep the public informed on vital infrastructure projects, this release should serve an update on the ongoing issues related to the Tuolumne Road Surface Treatment Project. Citizens have understandably been frustrated by the poor quality of the project, and Tuolumne County maintains that the work was below the standards that our citizens deserve.

The County has been working diligently to hold all parties accountable and responsible to the public for their role in the unsatisfactory Tuolumne Road project. We remain dedicated to the completion of this project in a manner that aligns with industry standards and the expectations of our community. It is common that there are disagreements about the facts and causes of project failures; however, the County is engaging in good faith with the responsible contractors through the contract dispute resolution process. This process can take a long time, and it requires the County to allow the contractor an opportunity to repair the project.

Recently, a letter drafted by APS was sent to the County and was shared on social media with APS's perspective on what happened. The County strongly disputes many of their claims which take zero responsibility for the potential of any workmanship or equipment failure.

The intention here is to provide clarity on the timing and course of events for the Tuolumne Road Project. Firstly, Tuolumne County Public Works did not directly perform the work on Tuolumne Road. The County contracted with a design consultant, a construction contractor, and a contract management consultant to complete the Project. For construction, the County was required by California Public Contract Code, Section 22032, to seek bids on the project from private construction contractors. The project was put out to bid in May 2023 and again in July 2023. The Tuolumne Road project was awarded to the lowest bidder as required by state law, which was Modesto-based American Pavement Systems, Inc. (APS), on August 15, 2023.

A preconstruction meeting was held on August 16, 2023, at which APS requested delaying the chip seal work until October 2023. The first working day was September 21, 2023, and the chip seal operations began on October 6, 2023. The project took five days to complete, and the first day of the chip seal coincided with paving work on Standard Road.

Portions of Tuolumne Road began failing almost immediately after the contractor finished work, and the County refused to accept the project as complete until significant problems were fixed. The County assessed the project using the California Department of Transportation (Caltrans) Standard Specifications, including the aggregate size designation and acceptance criteria. The County allowed APS the opportunity to repair their work prior to acceptance of the project. To date, APS has not satisfactorily repaired their work, nor have they produced all required Quality Control Testing data required under the specification.

APS did not express any concerns about the aggregate size until after the failure of the roadway and subsequent repairs. Additionally, despite APS's claim it was unaware of the traffic volumes on the Tuolumne Road, APS was aware or should have been aware of traffic volume on Tuolumne Road because data on traffic volume is a matter of public record and was clearly noted in the bid documents for the project.

Because the negotiation involves multiple parties moving through these steps, and our decisions are in part dependent on their decisions, we unfortunately cannot specify a final date for when this will be fixed. We can only indicate that resolution is a top priority with much time and energy being put towards resolving it.

Road construction projects always cause some impacts to local communities, and Tuolumne County is committed to minimizing disruptions and ensuring that all stakeholders stay informed as projects progress. The County hopes to resolve this matter to the satisfaction of all parties involved and values the trust and support of the community. We remain committed to upholding the highest standards of integrity and accountability in all our endeavors. We appreciate the understanding and patience of all stakeholders during this period.