



MEMORANDUM

TO: CITY COUNCIL

FROM: BILL ROBESON, PUBLIC WORKS DIRECTOR

BY: JILL MCPEEK, CAPITAL IMPROVEMENT PROJECT MANAGER

SUBJECT: CONSIDERATION OF ACCEPTANCE OF THE 2017 CONCRETE REPAIRS PROJECT, PW 2017-06

DATE: FEBRUARY 13, 2018

SUMMARY OF ACTION:

Take action to accept the 2017 Concrete Repairs Project and begin the one-year warranty period for any defects that may arise.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

An allocation of \$172,600 of Local Sales Tax funds is included in the FY 207/18 Capital Improvement Program (CIP) budget for concrete repairs and driveway repairs at Fire Station 1. Approximately \$45,260 was carried over from FY 2016/17 for concrete repairs, and an allocation of \$36,880 of Water Neutralization is included in the CIP budget for a decomposed granite pathway at Parque Pequeno for a total available budget of \$254,740 for design, construction, administration, inspection, etc. It is proposed that any unused funds be carried over to the concrete repairs account for FY 2018/19. The recommended action will not impact staff resources.

RECOMMENDATION:

It is recommended the City Council:

1. Accept the project improvements as constructed by R. Burke Corporation in accordance with the plans and specifications for the 2017 Concrete Repairs Project, PW 2017-06;
2. Direct staff to file a Notice of Completion; and
3. Authorize release of retention, thirty-five (35) days after the Notice of Completion has been recorded, if no liens have been filed.

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BACKGROUND:

On September 12, 2017, the Council awarded a construction contract to perform the 2017 Concrete Repairs Project to R. Burke Corporation in the amount of \$165,777 and authorized the City Manager to approve change orders in the amount of \$16,577. The contractor's final construction cost for this project is estimated at \$174,782.19.

The project consisted of the replacement of damaged/uplifted sidewalk and uplifted curb and gutter adjacent to mature trees along segments of East Grand Avenue, Halcyon Road, West Branch Street, and at a location on El Camino Real. The project also included removing and replacing a portion of the driveway at Fire Station 1, and decomposed granite path improvements at Parque Pequeuno on Woodland Drive.

ANALYSIS OF ISSUES:

The contractor has completed the work in accordance with the approved plans and specifications within the contract timelines and under the available budget. However, the contractor has filed a claim requesting \$4,393.25 in additional compensation for the improvements at the Fire Station 1 driveway which the City's construction manager has reviewed and rejected. Public Contract Code Section 9204 provides a claims procedure which the contractor can follow should it wish to pursue the matter further. In the meantime, Public Contract Code Section 7107 requires the City release the retention within 60 days after the date of completion of the work of improvement for the undisputed amount. Therefore, staff is recommending that the Council accept the project and release the retention for the undisputed amount following the lien period.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Accept the 2017 Concrete Repairs project;
2. Do not accept the project;
3. Accept the project but do not authorize release of retention; or
4. Provide direction to staff.

ADVANTAGES:

The project is complete and accepting the improvements will allow staff to close out the project. The project reduces the potential trip and fall hazards along selected streets, addresses complaints from the public, improves access for individuals with disabilities, and functions as a sound asset management strategy for the City.

DISADVANTAGES:

No disadvantages have been identified.

ENVIRONMENTAL REVIEW:

No environmental review is needed to accept the project.

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PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

Attachment:

1. Notice of Completion

