



DATE: February 25, 2020

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Citywide Trash Capture, Project 16-53, and Rengstorff Tennis Court Resurfacing, Project 19-26 – Accept Construction**

RECOMMENDATION

1. Accept Citywide Trash Capture, Phase I, Project 16-53, and authorize the final contract payment.
2. Accept Rengstorff Park Tennis Court Resurfacing, Project 19-26, and authorize the final contract payment.

BACKGROUND AND ANALYSIS

“Acceptance” of a construction contract is a legal event recognized by State law when the City verifies the contractor has satisfactorily completed a public project. Once accepted, the work on the public project is complete and other actions occur, such as final payment to the contractor and the release of bonds obtained by the contractor that ensure completion of the project. Following acceptance, the City becomes responsible for the maintenance of the public project.

Trash Capture

Citywide Trash Capture, Phase I, Project 16-53, includes installation of a large underground device to remove trash from stormwater in an easement on Intuit’s property between 2700 Coast Avenue and 2650 Casey Avenue. On December 12, 2017, the City Council authorized the award of the construction contract to JMB Construction, Inc., at the low bid price of \$1,377,020 (including a \$120,000 construction contingency). The construction contingency was increased by \$210,000 in April 2018 to add relocation of AT&T conduits to the project scope. The contingency was increased again by \$99,200 in May 2018 to fund a project delay to allow time for Intuit to investigate underground utilities on-site that Intuit was required to relocate as part of the project. Intuit requested and funded the delay. With both amendments, the total project construction funding is \$1,686,220.

The final construction cost of \$1,671,102 is within the construction budget of \$1,686,220, which included nine change orders totaling \$414,082. All work has been completed in accordance with the approved plans and specifications.

Rengstorff Tennis Court Resurfacing

On June 25, 2019, the City Council authorized the award of the construction contract for Rengstorff Park Tennis Court Resurfacing, Project 19-26, to Dryco Construction, Inc., at the low bid price of \$140,148 (including an \$8,000 construction contingency). The project includes crack sealing, resurfacing, and restriping the existing eight (8) courts. The resurfaced courts were open for public use on October 19, 2019.

The final construction cost of \$132,148 is within the construction budget of \$140,148. No change orders were issued and all work has been completed in accordance with the plans and specifications.

FISCAL IMPACT

Trash Capture

Citywide Trash Capture, Phase I, Project 16-53, is funded with \$2,000,000 from the Waste Water Fund, \$250,000 from Storm Drain Construction Fund, \$200,000 from the Construction/Conveyance Tax Fund, and \$99,200 from Intuit for total funding of \$2,549,200. The total project expenditure is estimated to be \$2,499,000, including design, project administration, construction, inspection, and other costs. Any funds remaining will be returned to the Wastewater Fund, Storm Drain Construction Fund, and Construction/Conveyance Tax Fund in proportion to the project's use of these funding sources once the project is closed.

Rengstorff Tennis Court Resurfacing

Rengstorff Park Tennis Court Resurfacing, Project 19-26, is funded with \$174,382 from the Construction/Conveyance Tax Fund. The total project expenditure is estimated to be \$165,000, including construction, inspection, and other costs. Any funds remaining will be returned to the Construction/Conveyance Tax Fund once the project is closed.

ALTERNATIVES

Determine that the improvements have not been completed in conformance with City standards and decline to accept the improvements until they are completed to the satisfaction of the City Council.

PUBLIC NOTICING – Agenda posting.

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TS-MG/CL/1/CAM
946-02-25-20CR
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