



**DATE:** November 18, 2019

**CATEGORY:** Consent

**DEPT.:** Public Works

**TITLE:** **East Whisman Area Transit-Oriented Development (TOD) Improvements, Phase I: Middlefield Road Improvements, Project 16-48 – Accept Construction**

### **RECOMMENDATION**

Accept East Whisman Area Transit-Oriented Development (TOD) Improvements, Phase I: Middlefield Road Improvements, Project 16-48, and authorize final contract payment.

### **BACKGROUND**

On March 20, 2018, the City Council approved plans and specifications for the East Whisman Area Transit-Oriented Development (TOD) Improvements, Phase I: Middlefield Road Improvements, Project 16-48, and authorized award of construction contract if the low bid was within the project budget. The contract was awarded to Redgwick Construction Co. at the low bid price of \$1,350,134, which included a \$125,000 contingency. The project installed bicycle and pedestrian improvements including: median islands; Americans with Disabilities Act (ADA) compliant curb ramps; landscaping and irrigation in wide medians and concrete interlocking pavers in narrow medians; lighting under the Highway 237 overpass; and green bike lanes in conflict areas such as intersections and driveways.

### **ANALYSIS**

The final construction cost of \$1,222,756.19 is within the construction budget of \$1,350,134. Six change orders and a final time adjustment change order were issued for \$36,626.75, which fall within the base contract amount and are included in the final construction cost of \$1,222,756.19. All work has been completed in accordance with the plans and specifications.

“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. Following acceptance, the City becomes responsible for the maintenance of the project.

### **FISCAL IMPACT**

East Whisman Area Transit-Oriented Development (TOD) Improvements, Phase I: Middlefield Road Improvements, Project 16-48, is funded with \$3.0 million from the TOD Fund. The project expenditures to date are approximately \$1,878,000. The remaining funds will be available for the East Whisman Area Transit-Oriented Development (TOD) Improvements, Phase II: Ellis Street Improvements, Project 16-48, that is currently in the design phase.

### **ALTERNATIVES**

Determine 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 Council.

### **PUBLIC NOTICING** – Agenda posting.

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