



COUNCIL REPORT

DATE: February 27, 2024
CATEGORY: Consent
DEPT.: Public Works
TITLE: **Fayette Park, Project 20-48—
Construction Acceptance**

RECOMMENDATION

Accept Fayette Park, Project 20-48, 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 maintenance of the public project.

On [March 8, 2022](#), Council authorized the transfer and appropriation of funds, approved plans and specifications, authorized staff to advertise for bids, and authorized the City Manager or designee to award a construction contract to the lowest responsible responsive bidder for Fayette Park, Project 20-48, if the low bid was within the project budget. The contract was awarded to GoodLand Landscape Construction, Inc., of Tracy at the low-bid price of \$1,644,069. The 0.45-acre park located on Fayette Drive features open turf area, a plaza, public art, benches, trees/shrubs, picnic tables, and play equipment.

The final construction cost of \$1,530,905 is within the construction contract amount of \$1,644,069 and includes four change orders totaling \$60,645 and a final quantity adjustment change order resulting in contract savings of \$113,164. All work has been completed in accordance with the approved plans and specifications.

FISCAL IMPACT

Fayette Park, Project 20-48, is funded with \$2,279,000 from the Park Land Dedication Fund. The total project expenditure is estimated to be approximately \$2,226,000 and is within the allotted budget, including design, project administration, construction management, inspection, and

other costs. Any remaining funds will be returned to the Park Land Dedication 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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