



COUNCIL REPORT

DATE: March 13, 2025

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Plymouth Street to Space Park Way
Realignment (Site Preparation Phase),
Project 20-40—Construction Acceptance**

RECOMMENDATION

Accept Plymouth Street to Space Park Way Realignment (Site Preparation Phase), Project 20-40, 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.

Plymouth Street to Space Park Way Realignment, Project 20-40 (Project), is one of the North Bayshore Precise Plan’s Priority Transportation Improvements. The Project will realign Plymouth Street to connect with and create a four-way signalized intersection at Space Park Way and North Shoreline Boulevard. The Project will be implemented in three phases due to the Project’s timing needs and specialized nature of the contractors needed. The phases include tree removal, building demolition, and street realignment.

On [May 9, 2023](#), Council took the following Project actions:

1. Adopted a resolution certifying an Addendum to the North Bayshore Precise Plan Subsequent Final Environmental Impact Report for the Project.
2. Approved the removal of 86 Heritage trees and the first-stage mitigation replacement with 84 new 24” box trees for the Project.
3. Approved plans and specifications for tree removal and demolition of existing buildings located at 1600 and 1616 North Shoreline Boulevard, and authorized staff to advertise for bids.

4. Authorized the City Manager or designee to award the construction contract to the lowest responsible bidder if the bid was within the project budget.

As noted in the May 9, 2023 Council report, tree mitigation will take place in stages. As part of the street realignment design effort, currently in process, staff will be developing a second-stage landscape mitigation plan for mitigation of the tree removals not addressed in the first-stage mitigation. This second-stage mitigation plan will be brought to Council for consideration at the end of 2025 with the final plans and specifications for the street realignment phase.

The contract for the tree removals was awarded to Community Tree Service, LLC, of Royal Oaks at the low-bid price of \$317,825. This first phase of the Project included removal of 107 trees (86 Heritage trees and 21 non-Heritage trees) along North Shoreline Boulevard, between Pear Avenue and Space Park Way, and Plymouth Street between Joaquin Road and North Shoreline Boulevard. Approximately, 27 logs were brought to the Shoreline at Mountain View area by City staff for repurposing. An additional 50 logs were picked up, at no cost to the City, by a local furniture company that specializes in using sustainably sourced wood and has a mission for keeping trees out of landfills.

The final construction cost of \$210,950 is within the construction contract amount of \$317,825 and included a final quantity adjustment change order, resulting in contract savings of \$106,875. All work has been completed in accordance with the approved plans and specifications.

FISCAL IMPACT

Plymouth Street to Space Park Way Realignment, Project 20-40, is funded as follows:

Table 1: Project Funding

<u>Funding Source</u>	<u>Amount</u>
2018 Shoreline Regional Park Community Bond	\$21,400,000
Shoreline Regional Park Community Fund	6,380,000
Public Benefit In-Lieu Fund—North Bayshore	3,200,000
Google Landings Development Project Reimbursement	<u>885,952</u>
TOTAL	<u>\$31,865,952</u>

This phase’s expenditures are estimated to be approximately \$650,000 which is within the allotted budget, including design, project administration, construction management, inspection, and other costs. The remaining funds will be retained for the future phases of the Project.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

EXEMPT FROM THE LEVINE ACT

Competitively bid contract

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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