



COUNCIL REPORT

DATE: September 9, 2025

CATEGORY: Consent

DEPT.: Public Works

TITLE: Evelyn Park, Project 21-60; and Intersection Traffic Signal System—Major Replacement and Upgrades (Shoreline Boulevard/Latham Street-Church Street), Projects 17-27, 19-27, 20-27, and 21-27 —Construction Acceptance

RECOMMENDATION

1. Accept Evelyn Park, Project 21-60, and authorize the final contract payment.
2. Accept Intersection Traffic Signal System—Major Replacement and Upgrades (Shoreline Boulevard/Latham Street-Church Street), Projects 17-27, 19-27, 20-27, and 21-27, 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 that 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.

Evelyn Park, Project 21-60

On [March 26, 2024](#), Council took the following actions on the project:

1. Approved plans and specifications for Evelyn Park, Project 21-60, and authorized staff to advertise the project for bids.
2. Authorized the City Manager or designee to award a construction contract to the lowest responsible bidder if the bid was within the project budget of \$2,395,000.

The project was awarded to Suarez & Munoz Construction, Inc., of Hayward at the low bid price of \$1,677,059. The project included the construction of a new City park, including various site furnishings, play structures, plantings, pavement, and underground utility lines.

The final construction cost of \$1,578,602 is within the construction contract amount of \$1,677,059 and included five contract change orders for the total amount of \$80,114 and a final quantity adjustment change order resulting in contract savings of \$98,457. All construction work has been completed in accordance with the approved plans and specifications.

Intersection Traffic Signal System—Major Replacement and Upgrades (Shoreline Boulevard/Latham Street-Church Street), Projects 17-27, 19-27, 20-27, and 21-27

On [April 26, 2022](#), Council took the following actions on the project:

1. Approved plans and specifications for Intersection Traffic Signal System—Major Replacements and Upgrades (Shoreline Boulevard/ Latham Street-Church Street), Projects 17-27, 19-27, 20-27, and 21-27, and authorized staff to advertise the project for bids.
2. Authorized the City Manager or designee to award a construction contract to the lowest responsible bidder if the bid was within the project budget.

The contract was awarded to Ray's Electric of Oakland at the low-bid price of \$1,108,894. The project included the removal and installation of a traffic signal; installation of a new adaptive traffic signal system; adjustments of median islands; and signing and striping modifications.

The final construction cost of \$1,080,155 is within the construction contract amount of \$1,108,894 and included three contract change orders for the total amount of \$78,261 and a final quantity adjustment change order resulting in contract savings of \$28,739. All construction work has been completed in accordance with the approved plans and specifications.

FISCAL IMPACT

Evelyn Park, Project 21-60

Evelyn Park, Project 21-60 is funded with \$2,395,000 from the Park Land Dedication Fund and \$3,000 in reimbursements from PG&E, for a total budget of \$2,398,000.

The total project expenditure is estimated to be approximately \$2,315,500 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.

Intersection Traffic Signal System—Major Replacement and Upgrades (Shoreline Boulevard/Latham Street-Church Street), Projects 17-27, 19-27, 20-27, and 21-27

Intersection Traffic Signal System—Major Replacements and Upgrades (Shoreline Boulevard/Latham Street-Church Street), Projects 17-27, 19-27, 20-27, and 21-27, is funded with \$1,620,200 as follows:

Table 1: Funding Sources

Project No.	Funding Source	Amount
21-27	Vehicle License Fee—2010 Measure B	\$ 418,000
20-27	Vehicle License Fee—2010 Measure B	410,000
19-27	Vehicle License Fee—2010 Measure B	402,000
17-27	CIP Reserve Fund	386,000
17-27	Temporary Construction Staging Revenue	4,200
TOTAL		<u>\$1,620,200</u>

The Vehicle License Fee—2010 Measure B funding source is the Santa Clara Valley Transportation Authority's (VTA) Local Road Improvement and Repair Program.

The total project expenditure is estimated to be approximately \$1,580,000 and is within the allotted budget, including design, project administration, construction management, inspection, and other costs. Any remaining funds will be returned to the CIP Reserve Fund and Vehicle License Fee—2010 Measure B Fund in proportion to the project's use of these funding sources once the project is closed.

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

1. 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.
2. Provide other direction.

PUBLIC NOTICING—Agenda posting.

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