



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 02/02/2021

ITEM NO: 3

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DATE: January 27, 2021  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Annual Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921):  
a. Approve the Plans and Specifications;  
b. Authorize Advertising the Project for Bid;  
c. Authorize the Town Manager to Award and Execute a Construction Agreement in an Amount Not to Exceed \$771,100, Including Contingencies; and  
d. Authorize Staff to Execute Future Change Orders in an Amount Not to Exceed Ten Percent of the Contract Award Amount.

**RECOMMENDATION:**

Staff recommends that the Town Council authorize the following actions for the Annual Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921):

- a. Approve the Plans and Specifications;
- b. Authorize advertising the project for bid;
- c. Authorize the Town Manager to award and execute a construction agreement in an amount not to exceed \$771,100, including contingencies and change orders; and
- d. Authorize staff to execute future change orders in an amount not to exceed ten percent (10%) of the contract award amount.

**BACKGROUND:**

The adopted Fiscal Year (FY) 2020/21-2024/25 Capital Improvement Program (CIP) Budget designates funding for the Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921). The goal of this annually funded project is to replace and improve damaged or outdated curbs, gutters, sidewalks, driveways, and curb ramps within the Town's jurisdiction to address safety and operational issues and to improve accessibility. Project locations are primarily based on

**PREPARED BY:** WooJae Kim  
Town Engineer

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

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SUBJECT: Annual Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921)

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BACKGROUND (continued):

where concrete infrastructure improvements are needed prior to the annual Street Repair and Resurfacing (CIP No. 811-9901). The project is consistent with the Town's goals to improve public safety and the quality of the Town's infrastructure.

DISCUSSION:

For the FY 2020/21 Curb, Gutter, and Sidewalk Maintenance (Concrete) Project, a large portion of the work focuses on replacing or retrofitting curb ramps for compliance with the Americans with Disabilities Act (ADA) and other accessibility requirements. Title II of the ADA obligates jurisdictions to upgrade non-conforming curb ramps when streets are resurfaced from one intersection to another. The United States Department of Justice has determined that surface treatments such as asphalt overlay and rubber cape seal trigger the requirement for ADA compliant curb ramps on associated streets.

As the Town is planning for the Winchester Class IV Bikeway Project (CIP No. 813-0240) as part of the FY 2020/21 Street Repair and Resurfacing (Street) Project, 45 curb ramps on Winchester Boulevard between Blossom Hill Road and Albright Way need to be replaced or retrofitted as part of the Concrete Project. Nine (9) of those curb ramps on Winchester Boulevard are within the City of Monte Sereno jurisdiction. Town staff estimated a cost of \$66,000 for curb ramps and other concrete improvements needed within Monte Sereno. On October 20, 2020, the City Council of Monte Sereno approved a Cost Share Agreement (Attachment 1) to reimburse the Town up to \$400,000 for the work within the Monte Sereno jurisdiction to construct continuous Class IV bikeways along Winchester Boulevard between Blossom Hill Road and Albright Way, including pavement and concrete work.

As a separate Council action item for the FY 2020/21 Street Project, staff is seeking Town Council's authorization to allow the Town Manager to execute the Cost Share Agreement with Monte Sereno. With that action item, staff is also seeking a revenue and expenditure budget increase of \$66,000 (a portion of the cost share agreement) for the FY 2020/21 Concrete Project to address sidewalk and curb ramps on Winchester Boulevard within Monte Sereno.

The total number of curb ramps to be replaced or retrofitted with this year's Concrete Project is 75, in addition to approximately 600 square feet of sidewalk and 500 square feet of commercial driveway replacement. The engineer's estimate for this project is \$771,100, which includes a 10% contingency.

The Plans and Specifications for the FY 2020/21 Curb, Gutter, and Sidewalk Maintenance Project can be viewed on the Town website at <https://www.losgatosca.gov/108/Capital-Improvement-Program>.

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DISCUSSION (continued):

Once authorized by the Town Council to advertise for bid, the following is the anticipated schedule for the Concrete Project:

<u>Milestones</u>	<u>Anticipated Timeline</u>
Advertise the Project for Bid	February 5, 2021
Bids Due	February 25, 2021
Award and Execute Agreement	March 2021
Start Construction	April 2021
Anticipated Completion	July 2021

CONCLUSION:

Approval of the recommendations would allow staff to move forward with bidding and contract award for the FY 2020/21 Curb, Gutter, and Sidewalk Maintenance Project. This project would be constructed in advance of this year's Street Repair and Resurfacing Project.

COORDINATION:

This project has been coordinated with the Finance Department.

FISCAL IMPACT:

The Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921) in the FY 2020/21 – 2024/25 CIP Budget, with a revenue and expenditure budget increase of \$66,000 from the Cost Share Agreement with Monte Sereno, is sufficient for the construction contract, including contingency and project delivery costs.

Staff costs are tracked for all projects. Tracking of staff costs allows for accountability in the costs of the project, recovery of costs for grant funded projects, and identification of future staffing needs. This project will utilize both full-time budgeted and temporary staff. The costs for full-time staff are accounted for in the Department's Operating Budget. Only temporary staff costs incurred will be charged to the project.

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FISCAL IMPACT (continued):

<b>Curb, Gutter, and Sidewalk Maintenance Project 813-9921</b>		
	<b>Budget</b>	<b>Costs</b>
GFAR	\$745,992	
Cost Share Agreement – Monte Sereno*	\$66,000	
<b>Total Project Budget</b>	<b>\$811,992</b>	
Project Estimate		\$701,000
Contingency		\$70,100
Material Testing		\$30,000
Temporary Staff Costs		\$7,000
Other Project Related Costs		\$3,892
<b>Project Costs Committed</b>		<b>\$811,992</b>
<b>Available Balance</b>		<b>\$ (0)</b>

\*Pending approval of the cost share agreement with the City of Monte Sereno included in the Street Repair & Resurfacing item on this agenda. This agreement will increase the revenue and expenditure budget in the Curb, Gutter, and Sidewalk Maintenance project for curb ramps and sidewalk work on Winchester Boulevard.

ENVIRONMENTAL ASSESSMENT:

This is a project defined under CEQA as being Categorically Exempt [Section 15301(c) Existing streets, sidewalks, trails and similar facilities]. A Notice of Exemption is filed with the County.

Attachment:

1. Cost Share Agreement with Monte Sereno for Winchester Boulevard