



MEETING DATE: 6/7/04

ITEM NO. 15

COUNCIL AGENDA REPORT

DATE: MAY 14, 2004
TO: MAYOR AND TOWN COUNCIL
FROM: DEBRA J. FIGONE, TOWN MANAGER
SUBJECT: PROJECT 02-14 - SVITS ENHANCEMENT
RESOLUTION ACCEPTING WORK OF ADVANCED CUTTING AND PAVING COMPANY AND AUTHORIZING THE TOWN MANAGER TO EXECUTE CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY TOWN CLERK

RECOMMENDATION:

Adopt resolution accepting work of Advanced Cutting and Paving Company and authorizing the Town Manager to execute Certificate of Acceptance and Notice of Completion for recording by Town Clerk.

BACKGROUND:

Staff used the informal bidding process to solicit bids from contractors. On April 15, 2002, the Town Council awarded the contract to Advanced Cutting and Paving Company, as the lowest responsible bidder.

In June, 2002 the project was substantially completed. The execution and recordation of the Certificate of Acceptance is now required to finalize the Town's acceptance of the project.

DISCUSSION:

The Silicon Valley Intelligent Transportation Systems (SVITS) Program is a multi agency effort to improve the efficiency and effectiveness of the overall transportation system. The Program deploys projects to permit multi-agency coordination of traffic operations along freeways, expressways, and arterial in Santa Clara County and neighboring counties.

The SV-ITS Enhancement Project is a federally funded project that was programmed in 2000 to bring fiber optic lines to the Town Hall at 110 E. Main Street. This work was accomplished by using exiting conduits under Los Gatos Boulevard and did not necessitate new trenching on this road.

PREPARED BY: JOHN E. CURTIS
Director of Parks and Public Works

Reviewed by: PS Assistant Town Manager OK Attorney Clerk SC Finance
Community Development Revised: 5/14/04 8:40 am

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MAYOR AND TOWN COUNCIL  
SUBJECT: PROJECT 02-14 - SVITS ENHANCEMENT  
MAY 14, 2004

Since the Town's Engineering staff was relocated to the Corporation Yard at 41 Miles Avenue, it was necessary to extend the fiber optic lines from Town Hall to the new engineering office in the Corporation Yard which is the site for the Traffic Management Center.

The contracted work was completed by Advanced Cutting and Paving Company and is accepted by the Parks and Public Works Department (PPW). Staff recommends that the Certificate of Acceptance and Notice of Completion be executed and recorded. This action should have been taken previously; however, staff missed doing so in a timely fashion.

ENVIRONMENTAL ASSESSMENT:

The entire project is statutorily exempt pursuant to Sections 15301 (a), 15301(f), and 15303(e) of the State CEQA Guidelines.

FISCAL IMPACT:

The original contract approved by Council was for \$29,900. The project was completed for \$29,900 which is within the total project approved budget. Sufficient funds were available in the Street Repair and Resurfacing Program 400/480-0352.

<b>FY2002/03 Adopted Budget</b>	<b>FY2002-03</b>	<b>Fiscal Year Actual</b>	<b>FY2003-04</b>
<b>Street Repair &amp; Resurfacing 400/480-0352</b>	<b>Adjusted</b>	<b>Expended/Encumbered</b>	<b>Available</b>
	<b>Budget</b>	<b>Or Planned To Date</b>	<b>Balance</b>
<b>FY 2002/03 Adopted Budget 400-0217</b>	\$ 8,421,100	\$ 6,583,187	\$ 1,837,913
<b>FY 2002/03 Adopted Budget 480-0217</b>	840,200	840,200	0
<b>FY 2002/03 Adopted Budget 400-0106</b>	556,982	498,907	\$ 58,075
<b>Total Street Repair &amp; Resurfacing 400/480-0352</b>	<b>\$ 9,818,282</b>	<b>\$ 7,922,294</b>	<b>\$ 1,895,988</b>
<b>FY2003/04</b>			
<b>FY 2003/04 Carry Forward Allocation 400-0217</b>	\$ 1,895,988	\$ 1,784,446	\$ 111,542
<b>FY 2003/04 New Allocation 400-0352</b>	148,400		148,400
<b>FY 2003/04 New Allocation 480-0352</b>	533,499	514,328	19,171
<b>Total Street Repair &amp; Resurfacing 400/480-0352</b>	<b>\$ 2,577,887</b>	<b>\$ 2,298,774</b>	<b>\$ 279,113</b>

Attachments:

Resolution accepting work of Advanced Cutting and Paving Company (with Exhibit A) Certificate of Acceptance and Notice of Completion.

RESOLUTION

RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF LOS GATOS  
ACCEPTING WORK OF ADVANCED CUTTING AND PAVING COMPANY  
FOR PROJECT 02-14 - SVITS ENHANCEMENT AND AUTHORIZING THE TOWN  
MANAGER TO EXECUTE CERTIFICATE OF ACCEPTANCE  
AND NOTICE OF COMPLETION  
FOR RECORDING BY TOWN CLERK

**WHEREAS**, bids were sought in conformance with State and Town law for Project 02-14 - SVITS Enhancement; and

**WHEREAS**, on April 15, 2002, the Town Council awarded the contract for this work to Advanced Cutting and Paving Company, as the lowest responsible bidder; and

**WHEREAS**, Advanced Cutting and Paving Company substantially completed the project in conformance with the contract proposal and pursuant to Council approval; and

**WHEREAS**, the work on Project 02-14 - SVIT Enhancement is hereby accepted as complete pursuant to the contract proposal for the project.

**NOW THEREFORE BE IT RESOLVED**, that the Town Manager is authorized and directed to execute the Certificate of Acceptance and Notice of Completion attached as (Exhibit A) hereto.

**BE IT FURTHER RESOLVED**, that the Town Clerk is directed to transmit this Certificate of Acceptance and Notice of Completion to the Recorder of Santa Clara County for recording.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the            day of            , 2004 by the following vote.

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

PLEASE RECORD AND RETURN TO:

Town Clerk  
P.O. Box 949  
Los Gatos, CA 95031

**CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION**  
**PROJECT 02-14 - SVITS ENHANCEMENT**

TO WHOM IT MAY CONCERN:

We do hereby certify that Advanced Cutting and Paving Company substantially completed the work in June, 2002 called for in the agreement with the Town of Los Gatos dated **April, 2002**. The work is listed in the agreement for construction services scope or work and generally consisted of furnishing all labor, materials, tools, equipment, and services required for completion of the SVITS Enhancement project located in the TOWN OF LOS GATOS, County of Santa Clara, State of California and was completed, approved and accepted **June 7, 2004**.

The Surety on the bond accompanying the contract/agreement is the American Contractors Indemnity Company.

Bond No.: 15795  
Date: April 25, 2002

TOWN OF LOS GATOS

By: \_\_\_\_\_  
Director of Parks and Public Works

By: \_\_\_\_\_  
Town Manager

I, DEBRA J. FIGONE, the Town Manager of the Town of Los Gatos, have read the foregoing CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION and know the contents thereof. The same is true of my own knowledge, except as to the matters which are therein alleged on information or belief, and as to those matters I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on \_\_\_\_\_ 2004 at Los Gatos, California.

\_\_\_\_\_  
DEBRA J. FIGONE, TOWN MANAGER  
Town of Los Gatos

**RECOMMENDED BY:**

\_\_\_\_\_  
Director of Parks and Public Works

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Town Attorney

Date: \_\_\_\_\_

**TOWN OF LOS GATOS, CALIFORNIA, ACKNOWLEDGMENT**

State of California  
County of Santa Clara

On \_\_\_\_\_ before me, **MARIAN V. COSGROVE, Town Clerk**, personally appeared **DEBRA J. FIGONE Town Manager**, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the within instrument the entity upon behalf of which the person acted, **The Town of Los Gatos**, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Town Clerk of the Town of Los Gatos  
Los Gatos, California

**CAPACITY CLAIMED BY SIGNER:**

Municipal Officer of the Town of Los Gatos

**DESCRIPTION OF ATTACHED DOCUMENT:**

**Title of Document:** Certificate of Acceptance and Notice of Completion  
Project 02-14 - SVIT Enhancement

**Number of Pages:** 2

**Date of Document:**

**Signer(s) Other than Named Above:** None

