



MEETING DATE: 6/19/06

ITEM NO.

18

COUNCIL/AGENCY AGENDA REPORT

DATE: JUNE 7, 2006

TO: MAYOR AND TOWN COUNCIL/
CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

FROM: DEBRA J. FIGONE, TOWN MANAGER/EXECUTIVE DIRECTOR

SUBJECT: PARKING LOT 5 REPAIR AND RESURFACING PROJECT
RESOLUTION ACCEPTING WORK OF JOSEPH J. ALBANESE, INC. AND
AUTHORIZING THE TOWN MANAGER TO EXECUTE CERTIFICATE OF
ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY
THE CLERK ADMINISTRATOR/SECRETARY OF THE REDEVELOPMENT
AGENCY

RECOMMENDATION:

Adopt resolution accepting work of Joseph J. Albanese, Inc. and authorizing the Town Manager/Executive Director to execute Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator/Secretary of the Redevelopment Agency.

BACKGROUND:

On May 15, 2006, Town Council awarded the contract for this work to Joseph J. Albanese, Inc. as the lowest responsible bidder for the Parking Lot 5 Repair and Resurfacing project. During the week of May 22, 2006 this project was conducted, and on May 31, 2006 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:

This project repaired and reconstructed Parking Lot 5, located between Elm Street and Main Street. Work on this project included the removal of the existing asphalt surface, repair of the base failures, and placement of an asphalt overlay on the lot's surface. Other improvements included repairs and replacement of damaged sections of curbs, new irrigation lines to the planters, new sidewalk at the Main Street lot entrance and a new planter island.

PREPARED BY:

John E. Curtis
JOHN E. CURTIS

Director of Parks and Public Works

Reviewed by: PS Assistant Town Manager OK Town Attorney Clerk Administrator
SC Finance Community Development

Revised: 6/8/06 7:14 am

MAYOR AND TOWN COUNCIL

SUBJECT: PARKING LOT 5 REPAIR AND RESURFACING PROJECT

JUNE 5, 2006

This project was successfully completed in one week. The merchants adjacent to this parking lot indicated they were very happy with the project and are grateful to the Town for improving this parking lot. The contractor worked closely with Town staff and was very accommodating to the merchants and their needs during the week of construction.

The project contractor, Joseph J. Albanese, Inc. worked very efficiently and collaboratively. Their contracted work has been completed and is accepted by the Parks and Public Works Department. Ten percent (10%) of the faithful performance bond will remain in effect for a period of two (2) years to guarantee any needed repair and/or replacement caused by defective materials and workmanship. Staff recommends that the Certificate of Acceptance and Notice of Completion be executed and recorded.

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA but is Categorically Exempt (Section 15301). A notice of Exemption will not be filed.

FISCAL IMPACT:

Funding for this project's construction contract was approved by the Town Council on May 15, 2006 in the amount of \$239,780 with a contingency of \$25,000, for a construction contract up to \$ 264,780, bringing the project's total budget to \$289,687, (for additional project expenditures). Subsequently, the contingency funds were determined to be not needed for this project, and on June 5, 2006 Council authorized the \$25,000 contingency funds to be transferred to the Main Street Project. The resulting revised project budget is \$264,687, as shown in the following chart. The project's final construction cost is \$233,820, (\$5,960 under the original contract amount), with an additional \$31,223 in preliminary engineering, advertising, printing, and staffing expenditures, bringing the project's total cost to \$265,043. The following chart identifies funding and project costs:

Parking Lot 5 Repair & Resurfacing Project Engineering Project # 05-22			
FY 2005/06 Fiscal Impact	Available Budget Funding	Revised Project Expenditures	Balance of Account
930-0613-Parking Lot	264,687	265,043	(356)
TOTALS	264,687	265,043	(356)
TOTAL EXPENDITURES BY CATEGORY:			
Staff Labor		5,298	
advertising & printing		6,322	
contracted engineering services		16,750	
contracted geological services		2,853	
Construction Cost		233,820	
Contingency		-	
TOTALS		265,043	

Attachments:

Resolution accepting work of Joseph J. Albanese, Inc. (with Exhibit A) Certificate of Acceptance.

RESOLUTION

**RESOLUTION OF THE TOWN COUNCIL/REDEVELOPMENT AGENCY
OF THE TOWN OF LOS GATOS
ACCEPTING WORK OF JOSEPH J. ALBANESE, INC.
FOR PROJECT 05-22 - PARKING LOT 5 REPAIR AND RESURFACING
AND AUTHORIZING THE TOWN MANAGER/EXECUTIVE DIRECTOR
TO EXECUTE CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION
FOR RECORDING BY CLERK ADMINISTRATOR/SECRETARY
OF THE REDEVELOPMENT AGENCY**

WHEREAS, on March 20, 2006, the Town Council/Redevelopment Agency approved plans and specifications for Project 05-22 - Parking Lot 5 Repair and Resurfacing.

WHEREAS, on May 15, 2006, the Town Council/Redevelopment Agency awarded the contract for this work to Joseph J. Albanese, Inc., as the lowest responsible bidder; and

WHEREAS, Joseph J. Albanese, Inc. substantially completed the project in conformance with the plans and specifications pursuant to Council approval; and

WHEREAS, ten percent of the performance bond provided by Joseph J. Albanese, Inc. shall remain in place for two years until June 19, 2008, to guarantee the work; and

WHEREAS, the work on Project 05-22- Parking Lot 5 Repair and Resurfacing is hereby accepted as complete pursuant to the plans and specifications for the project.

NOW THEREFORE BE IT RESOLVED, that the Town Manager/Executive Director 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 Clerk Administrator/Secretary of the Redevelopment Agency 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/Redevelopment Agency of the Town of Los Gatos, California, held on the 19th day of June, 2006 by the following vote.

Vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR/CHAIR OF THE REDEVELOPMENT
AGENCY OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR/SECRETARY OF THE REDEVELOPMENT AGENCY
OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

RECORDING REQUESTED BY:

TOWN OF LOS GATOS

PLEASE RECORD AND RETURN TO:

Clerk Administrator/Secretary of the Redevelopment Agency
P.O. Box 949
Los Gatos, CA 95031

CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION
PROJECT 05-22 - PARKING LOT 5 REPAIR AND RESURFACING

TO WHOM IT MAY CONCERN:

We do hereby certify that **Joseph J. Albanese, Inc.** substantially completed the work on May 31, 2006 called for in the agreement with the Town of Los Gatos dated **May 16, 2006**. The work is listed in the specifications prepared by the Town of Los Gatos and generally consisted of furnishing all labor, materials, tools, equipment, and services required for completion of the Santa Cruz Avenue Resurfacing Project located in the TOWN OF LOS GATOS, County of Santa Clara, State of California and was completed, approved and accepted **June 19, 2006**.

The Surety on the bond accompanying the contract/agreement is the Travelers Casualty and Surety Company of America.

Bond No.: 104678850

Date: May 16, 2006

TOWN OF LOS GATOS

By: _____
Director of Parks and Public Works

By: _____
Town Manager/Executive Director

Exhibit A

I, DEBRA J. FIGONE, the Town Manager/Executive Director 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 _____ 2006 at Los Gatos, California.

DEBRA J. FIGONE, TOWN MANAGER/EXECUTIVE DIRECTOR
Town of Los Gatos

RECOMMENDED BY:

_____ Date: _____
Director of Parks and Public Works

APPROVED AS TO FORM:

_____ Date: _____
Town Attorney/General Counsel

TOWN OF LOS GATOS, CALIFORNIA, ACKNOWLEDGMENT

State of California
County of Santa Clara

On _____ before me, **MARLYN RASMUSSEN, Clerk Administrator/Secretary of the Redevelopment Agency**, personally appeared **DEBRA J. FIGONE, Town Manager/Executive Director**, 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.

Clerk Administrator/Secretary of the Redevelopment Agency
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 05-22 - Parking Lot 5 Repair and Resurfacing

Number of Pages: 2

Date of Document:

Signer(s) Other than Named Above: None