



MEETING DATE: 2/19/08

ITEM NO:

6

COUNCIL AGENDA REPORT

DATE: FEBURARY 5, 2008

TO: MAYOR AND TOWN COUNCIL

FROM: GREG LARSON, TOWN MANAGER

SUBJECT: PPW JOB NO. 07-04 – FISCAL YEAR 2007-08 – ANNUAL STREET REPAIR AND RESURFACING PROJECT (411-811-9901)

- A. ADOPT RESOLUTION DECLARING G. BORTOLOTTI & COMPANY TO BE THE LOWEST RESPONSIBLE BIDDER ON THE PROJECT AND AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$726,386.70.
- B. AUTHORIZE STAFF TO EXECUTE FUTURE CHANGE ORDERS TO THE CONSTRUCTION CONTRACT AS NECESSARY UP TO AN AMOUNT OF \$100,000.

RECOMMENDATION:

1. Adopt resolution (Attachment 1) declaring G. Bortolotto & Company to be the lowest responsible bidder on the project and award a construction contract (Exhibit A) in the amount of \$726,386.70.
2. Authorize staff to execute future change orders to the construction contract as necessary up to an amount of \$100,000.

BACKGROUND:

The adopted Capital Improvement Program designates funding for the annual Street Repair and Resurfacing Program and is consistent with the Town's goals to improve public safety and to improve the quality of Town streets.

Staff has been working on developing the most cost effective method of treatment for street resurfacing to utilize the funding allocated to achieve the best result for the community. A combination of surface treatments (asphalt overlay, chip and slurry seal) has been used to maintain the overall Pavement Condition Index (PCI) for the Town at 74. It is important to point out that even if the overall PCI is kept at 74, there are many streets and neighborhoods in Town which need much more than a simple resurfacing to address their pavement problems.

PREPARED BY: KEVIN ROHANI

Interim Director of Parks and Public Works

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Reviewed by: PSJ Assistant Town Manager JK Town Attorney
____ Clerk Administrator sc Finance ____ Community Development

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Unless there are funding allocations at higher levels in the future, these streets will continue to deteriorate and will require reconstruction in the coming years.

DISCUSSION:

On December 17, 2007, the Town Council approved plans and specifications for the annual Street Repair and Resurfacing Project and authorized staff to advertise the project for bids. On January 12, 2008, eight (8) bids were received for this project. See Bid Summary (Attachment 2).

Staff reviewed the bids received and has determined that G. Bortolotto & Company is a responsible entity and that its bid is responsive to the Town's formal bid process. It is recommended that the Council adopt the attached Resolution that would declare G. Bortolotto & Company to be the lowest responsible bidder on the project and award a construction contract to this company in the amount of \$726,386.70.

Further, it is recommended that Council authorize staff to execute future change orders to the construction contract up to an amount of \$100,000 due to the variables associated with this type of construction. The change order amount is adequate to cover the cost of unforeseen circumstances that may arise during the course of construction and/or for additional quantities of work that may exceed those included in the award of contract. It is anticipated that construction will begin on this project in March 2008.

CONCLUSION:

Staff recommends that the Council accept the staff recommendations noted above.

ENVIRONMENTAL ASSESSMENT:

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

FISCAL IMPACT:

The FY 2007/08 Street Repair and Resurfacing Project (411-811-9901) was approved by Council on December 17, 2007. The following chart describes the project's budget:

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STREET REPAIR & RESURFACING					
PPW Job # 07-04					
<u>FY 2007/08 Fiscal Impact</u>	<u>Available Budget Funding</u>	<u>Expended/ Encumbered To Date</u>	<u>Available Balance</u>	<u>Proposed Contract Amount</u>	<u>Remaining Budget If Approved</u>
Project 411-811-9901	644,200	592	643,608	643,608	(0)
Project 481-811-9901	911,447	41,589	869,858	182,779	687,079
TOTALS	1,555,647	42,181	1,513,466	826,387	687,079
TOTAL EXPENDITURES BY CATEGORY:					
Staff Labor					
Materials		592			
Engineering/Design					
Construction		41,589		726,387	
Contingency				100,000	
TOTALS		42,181		826,387	

Attachments:

1. Resolution declaring G. Bortolotto & Company as the lowest responsible bidder with Exhibit A) Agreement
2. Bid Summary

RESOLUTION

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
AWARDING A CONSTRUCTION CONTRACT TO
G. BORTOLOTTO & COMPANY
FOR PPW JOB NO. 07-04
ANNUAL STREET REPAIR AND RESURFACING PROJECT**

WHEREAS, bids were sought in conformance with State and Town law for PPW Job No.07-04 – Annual Street Repair and Resurfacing Project; and

WHEREAS, G. Bortolotto & Company submitted a bid which the Town Council deems to be responsive to the Town's solicitation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Los Gatos, County of Santa Clara, State of California, that G. Bortolotto & Company is declared to be the lowest responsible bidder for PPW Job No. 07-04 – Annual Street Repair and Resurfacing Project;

BE IT FURTHER RESOLVED that the Town Manager is hereby authorized and directed to execute a construction contract (Attached as Exhibit A) for said project on behalf of the Town in the amount of \$726,386.70. .

BE IT FURTHER RESOLVED, that staff is authorized to execute future change orders, as necessary, up to an amount of \$100,000. .

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 19th day of February, 2008, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED: MAYOR OF THE TOWN OF LOS GATOS/
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

CONTRACT

THIS AGREEMENT is between the **Town of Los Gatos** (hereinafter referred to as ("Owner")) and G. Bortolotto & Company hereinafter referred to as ("Contractor"). Owner and Contractor, for the consideration hereinafter named, agrees as follows:

A. SCOPE OF WORK

Contractor shall furnish all materials and perform all of the work for the construction of **PPW Job No. 07-04 – Fiscal Year 2007-08 - Annual Street Repair and Resurfacing Project**; in accordance with the Contract Documents.

B. CONTRACT PRICE

As full compensation for furnishing all materials and for doing all the work contemplated and embraced in this Contract, also for all loss or damage arising out of the nature of the work aforesaid, or from the actions of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by Owner, and for all risks of every description connected with the Work, also for all expenses incurred by or in consequence of the suspension or discontinuance of work, and for well and faithfully completing the Work, and the whole thereof, in the manner and according to the Contract Documents, Owner shall pay (seven hundred twenty six thousand three hundred eighty six dollars and seventy cents) \$726,386.70, which shall supersede any other amount specified in the Contract Documents.

C. CONTRACT DOCUMENTS

All rights and obligations of Owner and Contractor are fully set forth and described in the Contract Documents. All parts of the Contract Documents are intended to be correlated so that any work called for in one part and not mentioned in the other, or vice versa, is to be executed the same as if mentioned in all said documents. The Contract Documents are defined in Part I, Section 1-1.01(A) of these Specifications and are incorporated herein by reference the same as though set out in full.

D. BEGINNING OF WORK

Following the execution of this Contract and the approval of bonds and insurance policies and certificates, Owner shall issue a *Notice to Proceed* with the Work. Commencing work or the entrance of equipment or materials on the site of the Work by Contractor before receipt of the *Notice to Proceed* is at the sole risk and expense of Contractor, and the Contractor shall be fully liable for any damage or injury sustained by Owner or third persons resulting there from.

E. TIME OF COMPLETION

The Work called for herein shall be fully completed in eighty **(80) working days** of Contractor's receipt of the Notice to Proceed.

F. CORRECTION OF WORK AFTER ACCEPTANCE AND FINAL PAYMENT BY TOWN

Contractor shall remedy any defects due to faulty materials and/or workmanship and pay for any damages to other work and/or existing facilities resulting there from which shall appear within a period of 2 years from the date of recording of the *Notice of Completion*.

G. LIQUIDATED DAMAGES

The undersigned has reviewed and is thoroughly familiar with the appropriate sections of the Contract and Part II, Section 8-1.03 of these Specifications pertaining to liquidated damages.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of day of _____, 20____.

TOWN OF LOS GATOS, by:

CONTRACTOR, by:

G. Bortolotto & Company

Greg Larson, Town Manager

(Signature)

RECOMMENDED BY:

(Print Name)

Kevin Rohani
Interim Director of Parks and Public Works

(Address)

APPROVED AS TO FORM:

Orry P. Korb, Town Attorney

(City, State, Zip)

ATTEST:

Jackie Rose, Clerk Administrator

(Contractor's License Number)

Town of Los Gatos Parks and Public Works Department
FY 07/08 Street Resurfacing and Rehabilitation Project #07-04
Certified Bid Tabulation Bid opening: January 23, 2008 at 10:00 A.M. at the Civic Center

				Engineers Estimate		G. Bortolotto & Co. 582 Bragato Rd. San Carlos, CA 94070-6227		Jos. J. Albanese, Inc. PO Box 667 Santa Clara, CA 95052-0667		Duran & Venables Inc. 261 Bothelo Av. Milpitas, CA 95035		O'Grady Paving Inc. 2513 Wyandotte St. Mountain View, CA 94043-2323		Pavex Construction 120 Granite Rock Way San Jose, CA 95136		McGuire & Hester 9009 Railroad Av. Oakland, CA 94603		Granite Construction Co. 715 Comstock St. Santa Clara, CA 95054-3403		C.F. Archibald Paving Inc. PO Box 37 Redwood City, CA 94064	
Item No.	Description	Quantity	Unit	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
1	Mobilization	1	LS	50,000.00	50,000.00	3,398.00	3,398.00	15,500.00	15,500.00	5,907.00	5,907.00	10,000.00	10,000.00	15,000.00	15,000.00	9,000.00	9,000.00	5,000.00	5,000.00	15,000.00	15,000.00
2	Traffic Control	1	LS	25,000.00	25,000.00	14,000.00	14,000.00	25,000.00	25,000.00	3,000.00	3,000.00	35,000.00	35,000.00	25,000.00	25,000.00	13,000.00	13,000.00	20,000.00	20,000.00	50,000.00	50,000.00
3	Clearing & Grubbing	1	LS	5,000.00	5,000.00	3,398.00	3,398.00	5,000.00	5,000.00	1,500.00	1,500.00	1,000.00	1,000.00	20,800.00	20,800.00	4,000.00	4,000.00	500.00	500.00	9,000.00	9,000.00
4	Cape Seal with Polymer Modified Surface Sealant	30,500	SY	4.00	122,000.00	4.67	142,435.00	4.50	137,250.00	4.75	144,875.00	4.80	146,400.00	4.50	137,250.00	4.40	134,200.00	4.35	132,675.00	4.50	137,250.00
5	1 1/2" thick A/C Overlay	2,500	TON	100.00	250,000.00	93.39	233,475.00	91.00	227,500.00	105.00	262,500.00	94.00	235,000.00	92.00	230,000.00	106.00	265,000.00	113.00	282,500.00	110.00	275,000.00
6	Digouts	25,000	SF	6.50	162,500.00	4.11	102,750.00	4.75	118,750.00	6.50	162,500.00	5.50	137,500.00	6.00	150,000.00	6.75	168,750.00	6.50	162,500.00	6.30	157,500.00
7	Glass Grid	28,000	SY	2.00	56,000.00	3.24	90,720.00	3.50	98,000.00	2.60	72,800.00	3.15	88,200.00	2.64	73,920.00	3.75	105,000.00	2.64	73,920.00	4.00	112,000.00
8	18" Wide Conform	1,000	LF	15.00	15,000.00	6.00	6,000.00	6.00	6,000.00	10.00	10,000.00	6.00	6,000.00	10.00	10,000.00	4.60	4,600.00	5.00	5,000.00	4.00	4,000.00
9	6" Wide Wedge Cut	36,500	LF	2.50	91,250.00	1.18	43,070.00	1.00	36,500.00	0.50	18,250.00	0.74	27,010.00	1.66	60,590.00	1.35	49,275.00	1.75	63,875.00	1.10	40,150.00
10	Adjust Manholes	70	EA	600.00	42,000.00	301.00	21,070.00	400.00	28,000.00	400.00	28,000.00	350.00	24,500.00	385.00	26,950.00	400.00	28,000.00	790.00	55,300.00	450.00	31,500.00
11	Adjust Valves	75	EA	500.00	37,500.00	180.00	13,500.00	220.00	16,500.00	225.00	16,875.00	200.00	15,000.00	215.00	16,125.00	225.00	16,875.00	310.00	23,250.00	330.00	24,750.00
12	Adjust Monuments	20	EA	400.00	8,000.00	180.00	3,600.00	220.00	4,400.00	225.00	4,500.00	200.00	4,000.00	215.00	4,300.00	225.00	4,500.00	310.00	6,200.00	300.00	6,000.00
13	Detail 2 - Thermoplastic	900	LF	1.50	1,350.00	1.61	1,449.00	1.50	1,350.00	1.25	1,125.00	1.65	1,485.00	2.22	1,998.00	1.50	1,350.00	1.50	1,350.00	1.70	1,530.00
14	Detail 22 - Thermoplastic	1,050	LF	1.50	1,575.00	2.67	2,803.50	3.50	3,675.00	3.00	3,150.00	4.00	4,200.00	5.18	5,439.00	2.50	2,625.00	3.50	3,675.00	4.00	4,200.00
15	12" White Stripe - Thermoplastic	860	LF	2.00	1,720.00	6.68	5,744.80	3.50	3,010.00	3.00	2,580.00	4.00	3,440.00	5.00	4,300.00	7.00	6,020.00	3.50	3,010.00	4.00	3,440.00
16	12" Yellow Stripe - Thermoplastic	55	LF	2.00	110.00	6.68	367.40	4.00	220.00	3.00	165.00	4.00	220.00	6.00	330.00	7.00	385.00	3.50	192.50	4.00	220.00
17	White Pavement Markings - Thermoplastic	450	SF	2.50	1,125.00	6.68	3,006.00	4.50	2,025.00	8.00	3,600.00	5.00	2,250.00	7.00	3,150.00	7.00	3,150.00	4.50	2,025.00	5.00	2,250.00
18	Fire Hydrant (Blue) Markers	30	EA	25.00	750.00	25.00	750.00	15.00	450.00	15.00	450.00	17.00	510.00	22.00	660.00	26.50	795.00	15.00	450.00	15.00	450.00
19	Root Prune	15	EA	200.00	3,000.00	100.00	1,500.00	195.00	2,925.00	400.00	6,000.00	275.00	4,125.00	465.00	6,975.00	80.00	1,200.00	110.00	1,650.00	300.00	4,500.00
20	R&R Sidewalk	1,000	SF	15.00	15,000.00	14.00	14,000.00	15.00	15,000.00	18.00	18,000.00	11.50	11,500.00	15.00	15,000.00	25.00	25,000.00	17.00	17,000.00	14.00	14,000.00
21	R&R Curb & Gutter	300	LF	50.00	15,000.00	64.50	19,350.00	56.00	16,800.00	40.00	12,000.00	83.00	24,900.00	36.00	10,800.00	57.50	17,250.00	80.00	24,000.00	85.00	25,500.00
					903,880.00		726,386.70		763,855.00		777,777.00		782,240.00		818,587.00		859,975.00		884,072.50		918,240.00

This certifies that all bids were received and opened on January 23, 2008, and that this is a copy of the bid tabulation with bids corrected for errors in addition & multiplication. By:

Kevin Roslan