



COUNCIL AGENDA REPORT

MEETING DATE: 12/15/08

ITEM NO: 11

DATE: DECEMBER 4, 2008

TO: MAYOR AND TOWN COUNCIL

FROM: GREG LARSON, TOWN MANAGER 

SUBJECT: STREET REPAIR & RESURFACING PROJECT 411-811-9901
(SURFACE AND BASE REPAIR, MANHOLE, AND VALVE ADJUSTMENT
TO GRADE PROJECT – PPW JOB NO. 07-21)

ADOPT 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

RECOMMENDATION:

Adopt 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.

BACKGROUND:

The adopted Capital Improvement Program designates funding for various street repairs and resurfacing projects and is consistent with the Town's goals to improve public safety and to improve the quality of Town streets.

DISCUSSION:

Engineering Inspectors and lead staff from the Parks and Public Works Department Maintenance Division identified various locations around Town where base repairs for the streets are needed. The scope of the base repair involved grinding and removal of failed surface and base and placing a new layer of asphalt to complete the repair.

In addition to the base repairs, there are various manholes and water valves on the streets that were adjusted to grade to provide a smooth riding surface for motorists.


PREPARED BY: TODD CAPURSO
Director of Parks and Public Works

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

SUBJECT: STREET REPAIR & RESURFACING PROJECT 411-811-9901; PPW JOB NO. 07-21 – SURFACE AND BASE REPAIR, MANHOLE, AND VALVE ADJUSTMENT TO GRADE PROJECT

CONCLUSION:

It is recommended that the Council adopt the attached Resolution accepting work of Joseph J. Albanese, Inc. and authorizing the Town Manager to execute a Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator.

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 original contract approved by Council was \$224,045. The project was completed for \$215,377. After completion of this project, there is \$1,630,908 remaining in FY 2008/09 Street Repair & Resurfacing Project.

| Street Repair & Resurfacing Project 411-811-9901 | | | |
|--|--|---|------------------------------|
| PPW Job No. 07-21 Surface & Base Repair, Manhole, & Valve Adjustment to Grade Project | | | |
| FY 2008/09 Fiscal Impact | Original Contract Amount w/ Contingency | Expended/ Encumbered To Date | Available Balance |
| Surface & Base Repair | \$ 224,045 | \$ 215,377 | \$ 8,669 |
| TOTALS | \$ 224,045 | \$ 215,377 | \$ 8,669 |
| TOTAL EXPENDITURES BY CATEGORY: | | | |
| Staff Labor | | | |
| Materials | | | |
| Engineering/Design | | | |
| Construction | | \$ 215,377 | |
| Contingency | | | |
| TOTALS | | \$ 215,377 | |

Attachments:

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.

RESOLUTION

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
ACCEPTING WORK OF JOSEPH J. ALBANESE, INC.
PPW JOB NO. 07-21
SURFACE AND BASE REPAIR, MANHOLE,
AND VALVE ADJUSTMENT TO GRADE PROJECT
AND AUTHORIZE THE TOWN MANAGER TO EXECUTE CERTIFICATE OF
ACCEPTANCE AND NOTICE OF COMPLETION
FOR RECORDING BY THE CLERK ADMINISTRATOR**

WHEREAS, on September 15, 2008, the Town Council awarded a contract for PPW Job No. 07-21 – Surface and Base Repair, Manhole and Valve Adjustment to Grade Project to Joseph J. Albanese Inc., as the lowest responsible bidder; and

WHEREAS, Joseph J. Albanese, Inc., substantially completed the project in conformance with the Town's bid process and 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 December 15, 2010 to guarantee the work; and

WHEREAS, the work on PPW Job No. 07-21 Surface and Base Repair, Manhole and Valve Adjustment to Grade Project is hereby accepted as complete pursuant to the plans and specifications of 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 Clerk Administrator 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 held on the 15th day of December, 2008 by the following vote:

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

RECORDING REQUESTED BY:

TOWN OF LOS GATOS

PLEASE RECORD AND RETURN TO:

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

CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION

**PPW JOB NO. 07-21 - SURFACE AND BASE REPAIR, MANHOLE, AND
VALVE ADJUSTMENT TO GRADE PROJECT**

TO WHOM IT MAY CONCERN:

We do hereby certify that Joseph J. Albanese substantially completed the work on November 5, 2008 called for in the agreement with the Town of Los Gatos dated September 29, 2008. The work is outlined in the Town's bid process prepared by the Town of Los Gatos and generally consisted of furnishing all labor, materials, tools, equipment, and services required for completion of the PPW Job No. 07-21 – Surface and Base Repair, Manhole, and Valve Adjustment to Grade Project in the TOWN OF LOS GATOS, County of Santa Clara, State of California and was completed, approved and accepted December 15, 2008.

The Surety accompanying the contract/agreement is the First National Insurance Company of America.

Bond No.: 105136676
Date: September 18, 2008

TOWN OF LOS GATOS

By: _____
Director of Parks and Public Works

By: _____
Town Manager

Acknowledgement Required

AFFIDAVIT
To Accompany Certificate of Acceptance and Notice of Completion
PPW Job No. 07-21
Surface and Base Repair, Manhole, and Valve Adjustment to Grade Project

I, **GREG LARSON**, 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 _____, 2008 at Los Gatos, California.

GREG LARSON, TOWN MANAGER
Town of Los Gatos

RECOMMENDED BY:

Director of Parks and Public Works

Date: _____

APPROVED AS TO FORM:

Town Attorney

Date: _____

Notary Jurat Required

ACKNOWLEDGEMENT

State of California
County of Santa Clara

On _____ before me, **JACKIE ROSE, NOTARY PUBLIC**, personally appeared **TODD CAPURSO** and **GREG LARSON**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the within instrument the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal:

Notary Public

(seal)

----- - **OPTIONAL** -----

CAPACITY CLAIMED BY SIGNER:

Municipal Officers of the Town of Los Gatos

DESCRIPTION OF ATTACHED DOCUMENT:

Title of Document: Certificate of Acceptance and Notice of Completion
PPW Job No. 07-21 - Surface and Base Repair, Manhole, and Valve
Adjustment to Grade Project

No. of Pages: 1

Date of Document: _____

Signer(s) Other than Named Above: Orry Korb

JURAT

State of California

County of Santa Clara

Subscribed and sworn to (or affirmed) before me, **Jackie Rose, Notary Public**, on this _____ day of _____, 2008 _____ by _____, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Notary Public

(SEAL)

----- OPTIONAL -----

DESCRIPTION OF ATTACHED DOCUMENT:

Title of Document: Affidavit to Accompany Certificate of Acceptance and Notice of Completion - PPW Job No. 07-21 Surface and Base Repair, Manhole, and Valve Adjustment to Grade Project

Number of Pages: 1

Date of Document: _____

Signers Other than Named Above: Todd Capurso and Orry Korb