



MEETING DATE: 2/17/09

ITEM NO: 7

COUNCIL AGENDA REPORT

DATE: FEBRUARY 4, 2009

TO: MAYOR AND TOWN COUNCIL

FROM: GREG LARSON, TOWN MANAGER

SUBJECT: PPW JOB NO. 09-03 – POLLARD ROAD LIGHTED CROSSWALK PROJECT

- A. ADOPT RESOLUTION DECLARING REPUBLIC ITS
TO BE THE LOWEST RESPONSIBLE BIDDER ON THE PROJECT AND
AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF
\$58,400.
- B. AUTHORIZE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$10,000
FROM THE FUNDS RECEIVED FROM CITY OF CAMPBELL.

RECOMMENDATION:

1. Adopt resolution (Attachment 1) declaring Republic ITS to be the lowest responsible bidder on the project and award a construction contract (Exhibit A) in the amount of \$ 58,400.
2. Authorize a budget adjustment in the amount of \$10,000 from the funds received from City of Campbell.

BACKGROUND:

Jack Fisher Park, located on Pollard Road, is a popular destination for Los Gatos residents because of its recreational amenities and facilities. The park is located on the border of Los Gatos and Campbell, and is within the City of Campbell city limits. Pollard Road is a busy and frequently traveled roadway. For Los Gatos residents visiting Jack Fisher Park, crossing Pollard Avenue is a safety concern for bicyclists and pedestrians. Presently there is no crosswalk for Los Gatos residents to access this park.

The Town of Los Gatos and the City of Campbell are collaborating to build a lighted crosswalk in front of Jack Fisher Park. The City of Campbell, in coordination with Town of Los Gatos Engineering staff, prepared the design and construction documents for the project. The Town of Los Gatos will fund, manage, and construct the project with funding allocated from the FY 2008/09-2012/13 Capital Improvement Program. In addition to providing the design and construction documents for this project, the City of Campbell is contributing \$10,000 towards the construction of this project.

PREPARED BY:

TODD CAPURSO

Director of Parks and Public Works

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Reviewed by: PSJ Assistant Town Manager dl Town Attorney _____ Clerk Administrator
bl Finance _____ Community Development

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SUBJECT: PPW JOB NO. 09-03 – POLLARD ROAD LIGHTED CROSSWALK PROJECT

DISCUSSION:

The new lighted crosswalk system will be located on Pollard Road adjacent to Jack Fisher Park. The crosswalk system will be similar to the model that was installed on Highway 9 at Massol Avenue last year. In addition to the lighted crosswalk, there will be ADA compliant handicap ramps and a median island for added pedestrian safety. Los Gatos residents living near the park have expressed a great deal of support for this project, and are eagerly waiting for the construction of this new crosswalk.

For projects under \$100,000 in construction costs, the Town uses an informal bid process which does not require public advertising and the preparation of a set of complete plans and specifications.

This informal bid process allows staff to prepare a scope of work, solicit bids from several contractors, and award the contract to the lowest bidder.

Bids for the Pollard Road Lighted Crosswalk Project were received by the Town Engineer on January 12, 2009. The following contractors submitted bids for this project:

Republic ITS	\$ 58,400
Signal Electric Company	\$ 60,218
Columbia Electric Company	\$ 61,900

Staff has checked all of the bids received and has determined that Republic ITS is responsible and that its bid is responsive to the Town's informal bid process. It is recommended that the Town Council adopt the attached Resolution that would declare Republic ITS to be the lowest responsible bidder on the project and award a construction contract to this company in the amount of \$ 58,400.

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.

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FISCAL IMPACT:

Council approved this project as part of the Capital Improvement Program FY 2008/09-2012/13. Sufficient funds in the program are available to pay for this project.

POLLARD ROAD LIGHTED CROSSWALK PROJECT 411-812-0104				
<u>FY 2008/09 Fiscal Impact</u>	<u>Available Budget Funding</u>	<u>Expended/ Encumbered To Date</u>	<u>Proposed Contract Amount</u>	<u>Available Balance</u>
Project 411-812-0104	\$ 50,100	\$ 1,697	\$ 48,400	\$ 3
City of Campbell Contribution	10,000		10,000	-
TOTALS	\$ 60,100	\$ 1,697	\$ 58,400	\$ 3
TOTAL EXPENDITURES BY CATEGORY:				
Materials		\$ 1,697		
Project Construction			\$ 58,400	
TOTALS		\$ 1,697	\$ 58,400	

Attachments:

Resolution awarding construction contract to Republic ITS with Agreement (Exhibit A).

RESOLUTION

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
AWARDING A CONSTRUCTION CONTRACT TO
REPUBLIC ITS
FOR PPW JOB NO. 09-03
POLLARD ROAD LIGHTED CROSSWALK PROJECT**

WHEREAS, bids were sought in conformance with State and Town law for PPW Job No.09-03 – Pollard Road Lighted Crosswalk project; and

WHEREAS, REPUBLIC ITS 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 REPUBLIC ITS is declared to be the lowest responsible bidder for PPW Job No. 09-03 – Pollard Road Lighted Crosswalk 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 \$ 58,400.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 17th day of February, 2009 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 **Republic ITS** 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. 09-03 – Pollard Road Lighted Crosswalk 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 (fifty eight thousand four hundred) **\$ 58,400**, 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 forty **(40) 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*.

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

TOWN OF LOS GATOS, by:

CONTRACTOR, by:

Greg Larson, Town Manager

(Signature)

RECOMMENDED BY:

(Print Name)

Todd Capurso
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)