



MEETING DATE: 3/16/09

ITEM NO:

3

COUNCIL AGENDA REPORT

DATE: MARCH 3, 2009

TO: MAYOR AND TOWN COUNCIL

FROM: GREG LARSON, TOWN MANAGER

A handwritten signature in black ink, appearing to read "G. Larson".

SUBJECT: PPW JOB NO. 07-17 – FY 2008-09 – CURB, GUTTER, AND SIDEWALK REPAIR AND REPLACEMENT PROJECT (411-813-9921)

ADOPT A RESOLUTION ACCEPTING THE WORK OF GOLDEN BAY CONSTRUCTION COMPANY AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY THE CLERK ADMINISTRATOR

RECOMMENDATION:

Adopt a Resolution accepting the work of Golden Bay Construction Company and authorizing the Town Manager to execute a Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator.

BACKGROUND:

This project repaired and replaced damaged curbs, gutters, and sidewalks throughout Town. The locations for repairs and replacement work were identified throughout the past year by the Parks and Public Works Department staff. In conjunction with the replacement of damaged concrete, tree roots were also pruned to minimize further damage to new curb, gutter, and sidewalks.

DISCUSSION:

On September 15, 2008, The Town Council awarded the contract for this project to Golden Bay Construction Company. The contracted work has been completed by Golden Bay Construction Company and is accepted by the Parks and Public Works Department.

A handwritten signature in black ink, appearing to read "Todd Capurso".

PREPARED BY: TODD CAPURSO
Director of Parks and Public Works

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

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FEBRUARY 18, 2009

MAYOR AND TOWN COUNCIL

SUBJECT: PPW JOB NO. 07-17 – FY 2008-09 – CURB, GUTTER, AND SIDEWALK
REPAIR AND REPLACEMENT PROJECT (411-813-9921)

(DISCUSSION cont'd)

Ten percent of the faithful performance bond will remain in effect for a period of two years to guarantee any needed repair and/or replacement caused by defective materials and workmanship. The execution and recordation of the Certificate of Acceptance is now required to finalize the Town's acceptance of the project. Staff recommends that the Certificate of Acceptance and Notice of Completion be executed and recorded.

CONCLUSION:

Staff recommends that the Town Council adopt a Resolution accepting the work of Golden Bay Construction Company and authorize 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 agreement was approved by Council for the amount of \$165,585. Staff also requested approval for \$16,000 contingency amount. The total expenditures under this agreement are \$165,116. No use of contingency fund was required.

Attachments:

Resolution accepting work of Golden Bay Construction Company and authorizing the Town Manager to execute a Certificate of Acceptance and Notice of Completion.

RESOLUTION

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
ACCEPTING THE WORK OF GOLDEN BAY CONSTRUCTION COMPANY
FOR PPW JOB NO. 07-17
CURB, GUTTER, AND SIDEWALK REPAIR AND REPLACEMENT PROJECT
AND AUTHORIZING THE TOWN MANAGER TO EXECUTE
A CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION
FOR RECORDING BY CLERK ADMINISTRATOR**

WHEREAS, on September 15, 2008, the Town Council awarded a contract for the Curb, Gutter, and Sidewalk Repair and Replacement Project - PPW Job No. 07-17 to Golden Bay Construction Company as the lowest responsible bidder; and

WHEREAS, Golden Bay Construction Company 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 Golden Bay Construction Company shall remain in place for two years until March 16, 2011 to guarantee the work; and

WHEREAS, the work on PPW Job No. 07-17 – Curb, Gutter, and Sidewalk Repair and Replacement Project is hereby accepted as complete pursuant to the plans and specifications 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

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, California, held on the 16th day of March, 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