



MEETING DATE: 6/15/09

ITEM NO:

11

## COUNCIL AGENDA REPORT

DATE: MAY 14, 2009

TO: MAYOR AND TOWN COUNCIL

FROM: GREG LARSON, TOWN MANAGER

SUBJECT: PPW JOB NO. 09-03 – POLLARD ROAD LIGHTED CROSSWALK PROJECT  
411-812-0104

- A. ADOPT A RESOLUTION ACCEPTING THE WORK OF REPUBLIC INTELLIGENT TRANSPORTATION SERVICES INC. AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION FOR RECORDING BY THE CLERK ADMINISTRATOR
- B. AUTHORIZE TRASFER OF \$670 FROM CURB, GUTTER, AND SIDEWALK REPLACEMENT PROGRAM TO THIS PROJECT.

### RECOMMENDATION:

1. Adopt a resolution accepting the work of Republic Intelligent Transportation Services Inc. (Republic ITS) and authorizing the Town Manager to execute a Certificate of Acceptance and Notice of Completion for recording by the Clerk Administrator.
2. Authorize transfer of \$670 from Curb, Gutter and Sidewalk Replacement Program to this project.

### BACKGROUND:

This project installed a lighted crosswalk system on Pollard Road across from Jack Fisher Park. The new lighted crosswalk system is similar to the model that was installed on Highway 9 at Massol Avenue last year. In addition to the lighted crosswalk, ADA compliant handicap ramps and a median island were constructed for added pedestrian safety.

PREPARED BY: TODD CAPURSO  
Director of Parks and Public Works

Reviewed by: PSD Assistant Town Manager OK Town Attorney  
\_\_\_\_ Clerk Administrator SC Finance \_\_\_\_ Community Development

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MAY 14, 2009

MAYOR AND TOWN COUNCIL

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

DISCUSSION:

On February 17, 2009, The Town Council awarded the contract for this project to Republic ITS. The contracted work has been satisfactorily completed by Republic ITS and is accepted by the Parks and Public Works Department.

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 Republic ITS 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 budget was \$50,000 with an authorized budget adjustment of \$10,000 reflecting Campbell's portion of the project. A budget transfer from Curbs, Gutter and Sidewalks project was made for \$670 to cover the PG&E costs bringing the total budget for this project to \$60,670. The original agreement with Republic ITS was approved by Council for the amount of \$58,400, plus Change Order #1 for \$545, bringing the overall authorized contract to \$58,945. The project was completed for \$60,667.

Attachments:

Resolution accepting the work of Republic ITS 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 REPUBLIC ITS  
FOR PPW JOB NO. 09-03  
POLLARD ROAD LIGHTED CROSSWALK PROJECT  
AND AUTHORIZING THE TOWN MANAGER TO EXECUTE  
A CERTIFICATE OF ACCEPTANCE AND NOTICE OF COMPLETION  
FOR RECORDING BY CLERK ADMINISTRATOR

**WHEREAS**, on February 17, 2009, the Town Council awarded a contract for the Pollard Road Lighted Crosswalk Project - PPW Job No. 09-03 to Republic ITS as the lowest responsible bidder; and

**WHEREAS**, Republic ITS 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 Republic ITS shall remain in place for two years until June 15, 2011 to guarantee the work; and

**WHEREAS**, the work on PPW Job No. 09-03 – Pollard Road Lighted Crosswalk 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 15<sup>th</sup> day of June, 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

**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. 09-03 – POLLARD ROAD LIGHTED CROSSWALK PROJECT**

TO WHOM IT MAY CONCERN:

We do hereby certify that **Republic ITS** substantially completed the work on May 1, 2009, called for in the agreement with the Town of Los Gatos dated **February 17, 2009**. 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. 09-03 – Pollard Road Lighted Crosswalk project located in the TOWN OF LOS GATOS, County of Santa Clara, State of California and was completed, approved and accepted **June 15, 2009**.

The Surety accompanying the contract/agreement is Federal Insurance Company.

Bond No.: 82165734  
Date: February 17, 2009

TOWN OF LOS GATOS

By: \_\_\_\_\_  
Todd Capurso, Director  
Parks and Public Works

By: \_\_\_\_\_  
Greg Larson, Town Manager

Acknowledgement Required

**AFFIDAVIT**  
**To Accompany Certificate of Acceptance and Notice of Completion**  
**PPW Job No. 09-03**  
**Pollard Road Lighted Crosswalk 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 \_\_\_\_\_, 2009 at Los Gatos, California.

\_\_\_\_\_  
GREG LARSON, TOWN MANAGER  
Town of Los Gatos

**RECOMMENDED BY:**

\_\_\_\_\_  
Todd Capurso  
Director of Parks and Public Works

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Orry P. Korb  
Town Attorney

Date: \_\_\_\_\_

Notary Jurat Required