



# Folsom City Council Staff Report

<b>MEETING DATE:</b>	5/28/2024
<b>AGENDA SECTION:</b>	Consent Calendar
<b>SUBJECT:</b>	Resolution No. 11203 - A Resolution Authorizing the City Manager to Execute a Construction Change Order with Central Valley Engineering & Asphalt, Inc. for the On-Call Concrete and Asphalt Maintenance Project (Contract No. 174-21 21-073) and Appropriation of General Fund Contingency Budget and Measure A Funds
<b>FROM:</b>	Public Works Department

## **RECOMMENDATION / CITY COUNCIL ACTION**

The Public Works Department recommends the City Council pass and adopt Resolution No. 11203 - A Resolution Authorizing the City Manager to Execute a Construction Change Order with Central Valley Engineering & Asphalt, Inc. for the On-Call Concrete and Asphalt Maintenance Project (Contract No. 174-21 21-073) and Appropriation of General Fund Contingency Budget and Measure A Funds

## **BACKGROUND / ISSUE**

In October 2021, the City Council approved Resolution No. 10736, authorizing a contract for the On-Call Concrete and Asphalt Maintenance Project. The project has been ongoing on an as-needed basis for the past three years, with FY 2023-24 being the final year of the 3-year contract. This Change Order will allow the completion of two additional scopes of work that are required:

- Emergency Replacement of a Bridge Pedestrian Railing on the Humbug Willow Creek Trail: On April 30, 2024, staff was notified of a pedestrian bridge railing that had failed and fallen into the creek beneath, leaving the bridge edge with an approximately 15-foot drop-off into the creek below. Staff Engineers inspected the site and found the

metal railing had corroded at the point of penetration into the bridge concrete. The railing is 48 feet long and appears to be largely intact. The planned repair will consist of coring new holes into the bridge deck, extending the metal posts on the bottom of the existing railing, painting the railing, and re-attaching it to the bridge. In the interim, barricades and caution tape have been installed to keep the site safe. The location of this bridge is on the trail connection between Thorndike Way and Keller Circle.

- Additional Concrete Repair Locations: As part of the Council District 2 Sidewalk Inspection Project, 40 locations were identified that require complete replacement of the curb, gutter, and sidewalk due to the offset height being too large to repair by temporary saw cutting methods. The repair of these locations will complete the repairs identified in the Council District 2 Sidewalk Inspection report.

### **POLICY / RULE**

In accordance with **Chapter 2.36.150** of the Folsom Municipal Code, Notwithstanding any other provisions of this chapter, the city manager shall make, or authorize others to make, emergency procurement of supplies, equipment, services, or construction items when there exists a threat to public health, welfare, or safety; provided, that such emergency procurement shall be made with sufficient competition as is practicable under the circumstances. The requesting department shall complete a waiver of bid format and submit it to the purchasing agent for filing with the city clerk. (Ord. 723 § 3 (part), 1991)

### **ANALYSIS**

Central Valley Engineering & Asphalt was chosen to perform these repairs due to their existing contract for On-Call Concrete work.

Because there are no contract unit prices for the bridge railing work, staff is proposing to proceed with this repair on a time and materials basis. Staff will inspect and monitor the contractor's progress to ensure that the daily extra work reports accurately represent the effort performed. It is estimated that the repair to the bridge railing may cost up to \$25,000. Any unused funds for this repair will be returned to the General Fund.

The replacement of the curb, gutter, and sidewalks in Council District 2 will cost \$83,392.97 per the agreed-upon contract amounts.

### **FINANCIAL IMPACT**

The City Council's approval of Resolution No. 10736 authorized the execution of a Construction Contract for the On-Call Concrete and Asphalt Maintenance Project for a yearly amount of \$524,069, for a total not-to-exceed contract amount of \$1,572,207 over three years. Contingency was not required for this contract.

The up to \$25,000 estimated cost of the emergency repairing and reinstalling of the bridge railing will be financed from the General Fund (Fund 010) contingency budget. Sufficient funds for this emergency procurement are available in the General Fund (Fund 010) contingency budget.

The \$82,392.97 cost of replacing the concrete curb, gutter, and sidewalk in Council District 2 will be financed from the Measure A Fund (Fund 276). Sufficient funds for this additional work are available in the Measure A Fund (Fund 276).

If approved, this Construction Change Order would increase the authorized amount by \$108,393 to a total not-to-exceed contract amount of \$632,462 for FY 2023-24.

### **ENVIRONMENTAL REVIEW**

In accordance with the California Environmental Quality Act (CEQA), the proposed project is Categorically Exempt per Section 15301 Existing Facilities - Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

### **ATTACHMENT**

Resolution No. 11203 - A Resolution Authorizing the City Manager to Execute a Construction Change Order with Central Valley Engineering & Asphalt, Inc. for the On-Call Concrete and Asphalt Maintenance Project (Contract No. 174-21 21-073) and Appropriation of General Fund Contingency Budget and Measure A Funds

Submitted,

---

Mark Rackovan, Director  
Public Works Department

**RESOLUTION NO. 11203**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CHANGE ORDER WITH CENTRAL VALLEY ENGINEERING & ASPHALT, INC. FOR THE ON-CALL CONCRETE AND ASPHALT MAINTENANCE PROJECT (CONTRACT NO. 174-21 21-073) AND APPROPRIATION OF GENERAL FUND CONTINGENCY BUDGET AND MEASURE A FUNDS**

**WHEREAS**, emergency replacement of a failed bridge pedestrian railing on the Humbug Willow Creek Trail, located between Thorndike Circle and Keller Circle, is necessary to maintain public safety; and

**WHEREAS**, the inspection of Council District 2 sidewalks found 40 locations that require complete removal and replacement to eliminate trip hazards and maintain safe pedestrian paths of travel; and

**WHEREAS**, sufficient funds for this emergency procurement to repair and reinstall the bridge pedestrian railing are available in the General Fund (Fund 010) contingency budget; and

**WHEREAS**, sufficient funds for the curb, gutter, and sidewalk replacement are available in the Measure A Fund (Fund 276) budget; and

**WHEREAS**, the agreement will be in a form acceptable to the City Attorney:

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes the City Manager to execute a Construction Change Order for the construction agreement (Contract No. 174-21 21-703) with Central Valley Engineering & Asphalt, Inc. in the amount of \$108,393; and

**BE IT FURTHER RESOLVED** that the Finance Director is authorized to appropriate \$108,393 for this construction change order. The appropriation will be in the General Fund (Fund 010) contingency budget in the amount of \$25,000 and in the Measure A Fund (Fund 276) in the amount of \$83,393.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of May 2024 by the following roll-call vote:

**AYES:** Councilmember(s):  
**NOES:** Councilmember(s):  
**ABSENT:** Councilmember(s):  
**ABSTAIN:** Councilmember(s):

---

Michael D. Kozlowski, MAYOR

ATTEST:

---

Christa Freemantle, CITY CLERK