



## AGENDA REPORT SUMMARY

**Meeting Date:** November 14, 2023

**Subject:** Consider Adopting a Resolution of the City Council of the City of Los Altos; 1) Authorize the Finance Director to amend the FY 2023/24 CIP budget in the amount of \$441,159; 2) Authorize the City Manager to execute contract Amendment No. 1 to include the additional work in the amount of \$441,159 for a total contract of \$6,946,891; 3) Accepting completion and directing the Public Works Director to file a notice of completion of the Annual Street Resurfacing and City Alley Resurfacing Project; and 4) Find that the Council's action exempt from review under CEQA pursuant to CEQA Guidelines Section 15301 and that none of the circumstances under Section 15300.2 apply.

**Prepared by:** Morgan Loatfi, Special Projects Manager

**Reviewed by:** Aida Fairman, Public Works Director

**Approved by:** Gabriel Engeland, City Manager

**Attachment:**

A. Resolution No. 2023-XX

**Initiated by:**

City Council CIP Projects (TS-01001, TS-01004, TS-01009, TS-01003, TS-01005, TS-01006, TS-01008, TS-01060, TS-01052, TS-01007, and TS-01022)

**Previous Council Consideration:**

October 25, 2022

**Fiscal Impact:**

The construction contract budget is in the amount of \$6,006,256, a 15% contingency of \$900,938, and project soft costs of \$89,860, totaling \$6,997,054, were approved by the City Council. The construction contract was awarded to O'Grady Paving, Inc. on October 25, 2022.

This project is funded by VRF (\$373,029), Gas Tax (\$2,672,611), SB 1 (\$1,000,000), Measure B (\$669,000), a grant from Silicon Valley Clean Energy (\$59,225), and the General Fund (\$2,173,116).

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**Reviewed By:**

City Manager

GE

City Attorney

JH

Finance Director

JD

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The table below summarizes the final costs of the Annual Street Resurfacing and City Alley Resurfacing Project.

Annual Street Resurfacing and City Alley Resurfacing Project		
Project Item	Project Budget	Final Cost
Construction + Construction Contingency	\$ 6,466,035	\$ 6,421,966
Additional Scope of Work (Amendment No.1)	\$441,159	\$ 441,159
Inspection	\$ 79,860	\$ 74,423
Printing/Advertising/Mailing/Misc.	\$ 10,000	\$ 9,433
<b>Total</b>	<b>\$ 6,997,054</b>	<b>\$ 6,946,981</b>

- Total Final Cost of \$ 6,946,981 already included in the approved budget? Yes
- Amount above budget requested: \$0
- Total Savings of \$ 50,073 will be returned to the General Fund or applicable funding sources.

#### **Environmental Review:**

The work that staff requests the City Council to accept consisted of the operation, repair, and maintenance of existing facilities and was limited to street resurfacing activities, which are exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), which states at subsection (c) that “existing facilities” include streets where the operation, maintenance, or repair of existing streets involves negligible or no expansion of existing or former uses, including where no additional automobile lanes are created as



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part of the project. Additionally, none of the circumstances stated in CEQA Guidelines Section 15300.2 applies.

**Policy Question(s) for Council Consideration:**

None

**Summary:**

- Adopt Resolution No. 2023-\_\_\_\_ accepting completion of the Annual Street Resurfacing and City Alley Resurfacing Project.
- Authorize the Public Works Director to record a Notice of Completion as required by law.
- Authorize the City Manager to execute a contract amendment.
- The Annual Street Resurfacing and City Alley Resurfacing Project included the annual scope of work to resurface Los Altos streets and alleys and integrate mobility enhancements to improve safety for all modes of transport, emphasizing safer routes to schools. All work supports the Council Priorities of Community Safety and Asset Management.
- On October 25, 2022, the City awarded the Annual Street Resurfacing and City Alley Resurfacing project to O'Grady Paving, Inc.
- The Construction Phase of this project is completed.
- The project is in the Post-Construction Phase.

**Staff Recommendation:**

1.) Authorize the Finance Director to amend the FY 2023/24 CIP budget as follows:

- A. The \$42,000 funds for ARTICLE 1-A come from TS-01059.
- B. The \$25,000 funds for ARTICLE 1-B come from the Project Contingency.
- C. The \$314,934 funds for ARTICLE 1-C come from the Project Contingency.
- D. The \$59,225 funds for ARTICLE 1-D come from the Silicon Valley Clean Energy for the Community Resilience Grant.



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2.) Authorize the City Manager to execute contract Amendment No. 1 to include the additional work described below that was not included in the original scope of work.

- A. **Diamond Court Pavement Reconstruction** – Per the Maintenance Agreement between the Landowners and the City, dated August 13, 2022, temporary "Repair Work" was done on Diamond Court. The repairs include grinding and off haul 2.5" existing asphalt at Diamond Court, compact subgrade, placing and compacting approximately 11,600 SF of 2.5" new asphalt. (Change Order #2 Complete)
- B. **Downtown Ramps Removal** - Removal of 10 parking ramps, including PVC pipes in the downtown, repairing Pavement, and striping parking spaces. The ramps have caused problems in the downtown parking areas. The PVC drainpipes have broken and clogged up with leaves and trash, causing spots to flood. (Change Order #5 Complete)
- C. **Add Alt #1, Jardin Drive Paving** - Additive Alternate #1, which develops a designated student drop-off zone behind Los Altos High School on Jardin Drive, including safer accessibility improvements for bicyclists and pedestrians, is added to the contract with the original bid items. Item A1-5 Pavement Reinforcing Fabric is eliminated with a saving of \$19,760. (Change Order #7 Complete)
- D. **Cool Shield Pavement** - Work will include removing existing Striping, Seal Coat (Cool Shield), the 100 block of State Street between 3<sup>rd</sup> and 4<sup>th</sup> Streets, Cat Tracking, and Restripe State Street to match existing striping.

The "Cool Pavement" lowers land surface temperature and creates a cooling effect. Cool Pavement's primary function is to reduce the heat retained or concentrated at ground level and can create a cooling effect by reflecting solar heat, supporting water evaporation, or enabling water to permeate its surface. The Cool Pavement project aligns with the following Council Goals and Strategies:



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- Asset Management—increasing the Pavement Condition Index of State Street with the use of a Cool Pavement coating instead of the micro-surfacing slurry material typically used.
  - Environmental Sustainability—piloting a measure to reduce the heat risk in Los Altos, per Goal 6.2 in the Los Altos Climate Action and Adaptation Plan.
- (Change Order #9 Complete)

3.) Adopt Resolution No. 2023-\_\_\_\_\_ accepting completion of the Annual Street Resurfacing and City Alley Resurfacing Project; and authorize the Public Works Director to record a Notice of Completion as required by law.

### **Purpose**

Please see the above Staff Recommendation.

### **Background**

On October 25, 2022, the City awarded the Annual Street Resurfacing and City Alley Resurfacing project to the lowest responsive and responsible bidder, O'Grady Paving, Inc., for a Base Bid of \$5,711,830.95, and Additive Alternative 2 (\$123,600.00), and Additive Alternate No. 3 (\$170,825.00), along with a 15% as-needed contingency.

The Annual Street Resurfacing (TS-01001), Annual Street Slurry Seal (TS-01004), Annual Street Striping (TS-01003), and Annual City Alley Resurfacing (TS-01009) capital improvement projects (CIPs) are dedicated to repairing and maintaining asphalt concrete (AC) roadways and alleyways in the City. Annual Concrete Repair (TS-01005), Annual Traffic Sign Replacements/Additions (TS-01006), Annual ADA Improvements (Streets & Roadways) (TS-01008), Safe Routes to School (SR2S) Improvement Projects (TS-01060), Annual Bicycle/Pedestrian Access Improvements (TS-01052), Annual Neighborhood Traffic Management (TS-01007), and the Annual Collector Street Calming

The contract award package also included two optional "additive alternates," as follows:



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- **Additive Alternate 2:** This replaces the existing asphalt speed tables on Cuesta Drive with rubberized speed tables and striping and signage enhancements. The redesign was necessary
    - a) to comply with Santa Clara County Fire Department (SCCFD) speed hump/table specifications for emergency vehicles
    - b) because Cuesta Drive is a SCCFD Primary Emergency Response Route and a City of Los Altos Evacuation Route, and
    - c) to improve emergency response times.
  - **Additive Alternate 3:** St. Joseph Sidewalk Gap Closure Project, which creates a safer route for students attending Montclair Elementary School. The project includes a new concrete sidewalk, ADA ramps, curb and gutter, street resurfacing, striping and signage, and other improvements.

### Discussion/Analysis

The City Engineer has determined that O'Grady Paving, Inc. completed the construction for the Annual Street Resurfacing and City Alley Resurfacing Project per plans and specifications. The acceptance of the work by the City Council is essentially a ministerial act that the City Council should ratify unless the City Council is able to identify specific facts demonstrating that the City Engineer's determination is not supported by substantial evidence.

### Recommendation

1.) Authorize the Finance Director to amend the FY 2023/24 CIP budget as follows:

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