



## AGENDA REPORT SUMMARY

**Meeting Date:** June 28, 2022

**Subject:** Consider Adoption of Resolution No. 2022-XX FY20/21 Re: Project Acceptance of Annual Street Resurfacing and City Alley Resurfacing Project (TS-01001, TS-01003, TS-01004, and TS-01009); consider finding that the project is except from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301

**Prepared by:** Gaku Watanabe, Assistant Engineer

**Reviewed by:** Jim Sandoval, Engineering Services Director

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

**Attachments:**

A. Resolution No. 2022-XX

B. Project Map

**Initiated by:**

City Council CIP Projects TS-01001, TS-01003, TS-01004, and TS-01009

**Previous Council Consideration:**

May 11, 2021

**Fiscal Impact:**

The table below summarizes the final cost of the project.

Project Item	Project Budget	Final Costs
Construction	\$ 2,068,666.92	\$ 2,068,666.92
Construction Contingency (15%)	\$ 310,300.04	\$ 310,098.79
Inspection	\$ 82,516.00	\$ 82,505.75
Printing/Advertising/Mailing/Misc.	\$ 10,000.00	\$ 810.66
<b>Total Cost:</b>	<b>\$ 2,471,482.96</b>	<b>\$ 2,462,082.12</b>

Total savings between construction and contingency of \$9,400.84 will be forwarded to the FY21/22 project budget for Annual Street Resurfacing Project (TS-01001).

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City Manager

GE

Reviewed By:

City Attorney

JH

Finance Director

JE

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**Environmental Review:**

The acceptance of the work is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c) (Existing Facilities) in that the project consists of the operation, repair, and maintenance of existing facilities such as streets. Also, the project involves negligible or no expansion of existing or former use, and none of the circumstances stated in CEQA Guidelines Section 15300.2 applies.

**Summary:**

- The construction contract was awarded to G. Bortolotto & Co. on May 11, 2021.
- The project is complete. Staff recommends the City Council accept the project.

**Staff Recommendation:**

Adopt Resolution No. 2022-XX accepting completion of the Fiscal Year 2020/21 Annual Street Resurfacing Project and authorize the Engineering Services Director to record a Notice of Completion as required by law.

**Purpose**

Accept the project as complete.

**Background**

Annual Street Resurfacing Project (TS-01001), Annual Street Slurry Seal Project (TS-01004), and Annual City Alley Resurfacing Project (TS-01009) are dedicated to repairing and maintaining asphalt concrete (AC) roadways and alleyways in the City. The Annual Street Striping Project (TS-01003) is also part of the pavement management program dedicated to maintaining striping and pavement markings on City streets. This year, these four projects were combined into one large project named “Annual Street Resurfacing and City Alley Resurfacing”. This project completed resurfacing treatments on various street segments and alleyways selected for resurfacing in coordination with the City’s pavement management program by performing localized pavement damage repairs (digouts), overlaying the entire roadway segments with asphalt-concrete or a protective seal coat called “microsurfacing.” This project also included signage and striping improvements on Eastwood Drive, Campbell Avenue, and Fremont Avenue.

**Discussion/Analysis**



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The project was completed in accordance with the contract plans and specifications and complies with the Standard Specifications of the City of Los Altos. The final cost of the construction contract with G. Bortolotto & Co is \$ 2,378,765.71. All work was completed and is acceptable.

Recording of the Notice of Completion shortens the time for subcontractors and material providers to file stop payment notices on the project and triggers the timeline to release withheld retention in accordance with state prompt payment laws. Attachment 2 is the proposed resolution of acceptance.

When a public works project is completed and the City's engineering staff determines that the work is acceptable, then the acceptance of the work by the City Council is a quasi-ministerial act such that the City Council must accept the work absent clear evidence that the work was not performed in conformance with the contract.

**Recommendation**

Adopt Resolution No. 2022-XX accepting completion of the Fiscal Year 2020/21 Annual Street Resurfacing Project and authorize the Engineering Services Director to record a Notice of Completion as required by law, and find that the Council's action in adopting the resolution is exempt from review under CEQA pursuant to CEQA Guidelines Section 15301(c).