TOWN OF LOS GATOS
COUNCIL AGENDA REPORT

MEETING DATE: 11/17/2026
ITEM NO: 4

DATE: November 17, 2026

TO: Mayor and Town Council

FROM: Chris Constantin, Town Manager

SUBJECT: **Authorize Certificate of Acceptance and Notice of Completion for the 2026 Annual Curb, Gutter, and Sidewalk Maintenance Project and Authorize the Town Clerk to File the Notice of Completion**

RECOMMENDATION: Authorize the Town Manager to execute a Certificate of Acceptance and Notice of Completion for the 2026 Annual Curb, Gutter, and Sidewalk Maintenance Project and authorize the Town Clerk to file the Notice of Completion.

FISCAL IMPACT:

There is no fiscal impact associated with the recommended actions. This report allows staff to close out the contract with QLM, Inc. associated with the 2026 Annual Curb, Gutter, and Sidewalk Maintenance Project work. There are sufficient funds available in the Capital Improvement Program budget to pay for the work performed The 2026 project work was completed within budget, and there were no change orders associated with this project.

STRATEGIC PRIORITY:

This project supports the Town's Core Goal of Quality Public Infrastructure, which is to maintain the condition and viability of public facilities, transportation systems, and related infrastructure. The completed work ensures safety for all users and supports compliance with the Americans with Disabilities Act (ADA).

PREPARED BY: Gary Heap
Town Engineer

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

BACKGROUND:

The adopted Fiscal Year (FY) 2025/26–2029/30 Capital Improvement Program (CIP) Budget provides annual funding for the Curb, Gutter, and Sidewalk Maintenance Project (Legacy CIP No. 813-9921; New CIP No. 8120). The project replaces and improves damaged or outdated curbs, gutters, sidewalks, driveways, and curb ramps within the Town's jurisdiction to address safety and operational issues and improve accessibility.

The Annual Curb, Gutter, and Sidewalk Maintenance (Concrete) Project work included replacing or retrofitting curb ramps for compliance with the ADA and other accessibility requirements. Title II of the ADA obligates jurisdictions to upgrade non-conforming curb ramps when streets are resurfaced from one intersection to another. The United States Department of Justice has determined that surface treatments such as asphalt overlay, rubber cape seal, and micro surfacing trigger the requirement for ADA compliant curb ramps on associated streets.

The 2026 Curb, Gutter, and Sidewalk Maintenance Project was advertised for bids on Friday, February 20, 2026. On March 17, 2026, bid packages were opened with twelve contractors submitting bids. QLM, Inc. was the lowest responsive bidder. Town Council awarded the project to QLM, Inc. on April 21, 2026.

DISCUSSION:

Project construction commenced on May 18, 2026, and was completed on July 14, 2026. The work has been completed to the satisfaction of the Town Engineer. The project included installation of 54 new ADA compliant curb ramps, 1,660 linear feet of curb and gutter repair, and 8,350 square feet of sidewalk replacement. The total cost associated with QLM's contract was $646,336.00, consistent with the April 20, 2026 Town Council Award. There were no change orders associated with this project.

The contractor is obligated to warranty the work for one year from the date of Town Council acceptance per contract section 11.2(B). The execution and recordation of the Certificate of Acceptance and Notice of Completion (Attachment 1) will allow the Town to proceed with final payment and release of undisputed retention in accordance with the Contract Documents and applicable law. Specifically, Public Contracts Code Section 7107 indicates that public entities must release retention within 60 days of project acceptance.

CONCLUSION:

The Town Engineer and Director of Parks and Public Works have confirmed that all project work has been completed and request the Town Manager to sign the Certificate of Acceptance once approved by Town Council. This action formally accepts the contractor's work and affirms that

it meets the Town's standards and requirements. The completion of the required work finalizes all contractual obligations, allowing for the release of retention.

COORDINATION:

This project has been coordinated with the Finance Department.

ENVIRONMENTAL ASSESSMENT:

This is a project defined under CEQA as being Categorically Exempt pursuant to CEQA Guidelines Section 15301(c). A Notice of Exemption has been filed.

Attachment:
1. Certificate of Acceptance and Notice of Completion
2. Verification of Work