TOWN OF LOS GATOS

COUNCIL AGENDA REPORT

MEETING DATE: 11/17/2026

ITEM NO: 5

DATE: November 17, 2026

TO: Mayor and Town Council

FROM: Chris Constantin, Town Manager

SUBJECT: **Authorize the Town Manager to Execute Certificate of Acceptance and Notice of Completion for the Oak Meadow Bandstand Area Improvements 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 Oak Meadow Bandstand Area Improvements Project and authorize the Town Clerk to file the Notice of Completion.

FISCAL IMPACT:

There are no fiscal impacts associated with the recommended actions. This report is meant to close out the contract with QLM, Inc. associated with the Oak Meadow Bandstand Area Improvements Project work. There were sufficient funds available in the CIP Budget for the project. The work was completed within the authorized contract and contingency amount. There is $196,730 in Proposition 68 grant funding associated with this project. Staff will seek reimbursement of a portion of the construction funding through this grant.

STRATEGIC PRIORITY:

This project supports the Town's Core Goal of Quality Public Infrastructure. The project improves the functionality and accessibility of the existing Oak Meadow Park bandstand area and supports the Town's investment in public facilities.

BACKGROUND:

The adopted FY 2025-26 to 2029-30 Capital Improvement Program (CIP) Budget designated funding for the Oak Meadow Bandstand Area Improvements Project to enhance the perimeter

PREPARED BY: Gary Heap
Town Engineer

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

outdoor space surrounding the Lyndon Bandstand at Oak Meadow Park and improve its functionality as an accessible and programmable event space.

The project was initiated to address increased demand for event space, as the Lyndon Bandstand has become a popular destination for larger events and activities. To accommodate the increased need for programmable and reservable space, the area around the bandstand needed improvements and modifications. The completed improvements stabilized the area with decorative hardscape, improved accessibility, and enhanced landscaping to support a broader range of public and private events.

The Project was advertised for bid on January 23, 2026. Bid packages were opened on February 18, 2026. Eight contractors submitted bids, with QLM Inc. as the apparent lowest responsive and responsible bidder. The agreement for construction was approved by Council on April 6, 2026.

DISCUSSION:

Project construction commenced on July 6, 2026, and was completed on August 28, 2026. The work has been completed to the satisfaction of the Town Engineer. The original QLM contract was $163,538 with change order authority not to exceed $16,354. Two change orders totaling $4,857 increased the final contract amount to $168,395.

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 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. Staff recommends that the Town Council accept the construction of the project and authorize the Town Manager to execute the Certificate of Acceptance and Notice of Completion for the Oak Meadow Bandstand Area Improvements Project (Attachment 1).

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 staff report 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