



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/02/2024

DATE: March 28, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Fiscal Year 2022/23 Annual Street Repair and Resurfacing Project (CIP No. 811-9901), Completed by Pavement Coatings, and Authorize the Town Clerk to File for Recordation

RECOMMENDATION:

Authorize the Town Manager to execute a Certificate of Acceptance and Notice of Completion for the Fiscal Year 2022/23 Annual Street Repair and Resurfacing Project (CIP No. 811-9901), completed by Pavement Coatings, and authorize the Town Clerk to file for recordation.

BACKGROUND:

The Annual Street Repair and Resurfacing Project provides street rehabilitation activities throughout the Town to enhance safety for all travel modes and maintain the roadway infrastructure.

On March 7, 2023, the Town Council approved the plans and specifications for the Fiscal Year (FY) 2022/23 Street Project and approved advertising the project for bid. The project began bid advertising on Friday, March 10, 2023. On March 29, the Town received two bid packages from Pavement Coatings and O'Grady Paving for the project. The lowest responsible bid was received from Pavement Coatings, with a total bid amount of \$3,341,090.18.

DISCUSSION:

Since starting the project in June 2023, Pavement Coatings has satisfactorily completed all contracted work items, including Town requested change order work, for a final construction

PREPARED BY: Gary Heap
Town Engineer

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

PAGE 2 OF 3

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DISCUSSION (continued):

cost of \$3,489,766.88. This cost also includes the Shannon Road emergency repair work which was performed by the contractor. Staff recommends acceptance of the project.

Five percent of the faithful performance bonds will remain in effect for a period of two years as a guarantee for any needed repair or replacement caused by defective materials and/or workmanship for the project. The execution and recordation of the Certificate of Acceptance is required to finalize the Town's acceptance and to release the retention funds withheld from the contractor.

CONCLUSION:

Authorize the Town Manager to execute a Certificate of Acceptance and Notice of Completion for the FY 2022/23 Annual Street Repair and Resurfacing Project (CIP No. 811-9901), completed by Pavement Coatings, and authorize the Town Clerk to file the certificate with the County Clerk-Recorder's Office for recordation.

COORDINATION:

This project has been coordinated with the Finance Department.

FISCAL IMPACT:

Parks and Public Works staff costs are tracked for all projects. Tracking of staff costs allows for accountability in the costs of the project, recovery of costs for grant funded projects, and identification of future staffing needs. This project utilized both full-time and part-time temporary staff. This report closes out the contract with Pavement Coatings associated with the FY 2022/23 work. The project fund balance will carryover to the next year's project.

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FISCAL IMPACT (continued):

FY 2022/23 Street Repair and Resurfacing Project		
CIP Project 811-9901		
	Budget	Costs
GFAR FY 2022/23	\$ 4,362,234	
Gas Tax	\$ 3,152,618	
Vehicle License Fee - 2010 Measure B Funding	\$ 180,000	
Reimbursement from West Valley Sanitation District for Utility Adjustments	\$ 122,044	
Total Budget	\$ 7,816,896	
Construction		\$ 3,489,767
Material Testing		\$ 8,535
Cost Share - City of San Jose		\$ 734,099
Cost Share - City of Campbell		\$ 201,851
Temporary Staff Costs		\$ 27,948
Other Delivery Costs		\$ 7,809
Total Expenditures		\$ 4,470,009
Available Balance for Carryover to FY24/25 Project		\$ 3,346,888

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA but is Categorical Exempt (Section 15301c). A Notice of Exemption was previously filed.

Attachment:

1. Certificate of Acceptance and Notice of Completion