



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/21/2026

ITEM NO: 5

DATE: April 21, 2026
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: **Authorize the Town Manager to Execute a Construction Contract with QLM, Inc. in the Amount of \$646,336 with Change Order Authority Not to Exceed \$64,634 (10% Contingency); Authorize the Town Manager to Execute a Agreement for Professional Services with Ninyo & Moore in the Amount of \$18,390; Authorize the Town Manager to Execute a Agreement for Professional Services with Precision Works LLC DBA Precision Concrete Cutting in the Amount of \$90,000; Approve the Plans and Specifications (Design Immunity); and Authorize Associated Budget Adjustments**

RECOMMENDATION: Staff recommends that the Town Council take the following actions in regard to the 2026 Curb, Gutter, and Sidewalk Maintenance Project (4118120; CIP No. 813-9921):

- a. Authorize the Town Manager to execute a public works contract with QLM, Inc. in the amount of \$646,336, with authority to approve construction change orders in an amount not to exceed \$64,634 (10% contingency);
- b. Authorize the Town Manager to execute an Agreement for Professional Services with Ninyo & Moore for Materials Testing Services for a total agreement in an amount not to exceed \$18,390;
- c. Authorize the Town Manager to execute an Agreement for Services with Precision Works LLC DBA Precision Concrete Cutting for Sidewalk Cutting Services for a total agreement in an amount not to exceed \$90,000;
- d. Approve the project construction plans and specifications per Government Code 830.6 (Design Immunity);

PREPARED BY: Saurabh Nijhawan
Senior Civil Engineer

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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- e. Find the project Categorically Exempt under Section 15301(c) of the California Environmental Quality Act; and
- f. Authorize An Expenditure Budget Transfer in the Amount of \$439,706 from the Annual Street Repair and Resurfacing Project (4118155, CIP No. 811-9901) to the Annual Curb, Gutter and Sidewalk Maintenance Project (4118120, CIP No. 813-9921).

FISCAL IMPACT:

Total authorized project expenditures under this action equal \$819,360, comprised of: QLM, Inc. construction contract (\$646,336), 10% construction contingency (\$64,634), Ninyo & Moore Agreement for Professional Services (\$18,390), and Precision Works LLC DBA Precision Concrete Cutting for Sidewalk Cutting Services Agreement for Services (\$90,000). The adopted FY 2025-26 Budget for the Annual Curb Gutter and Sidewalk CIP Project has an existing balance of \$379,654 available from previous appropriations for this action. Staff is recommending an expenditure budget adjustment in the amount of \$439,706 from the Annual Street Repair and Resurfacing Project (4118155, CIP No. 811-9901) to the Annual Curb, Gutter and Sidewalk Maintenance Project (4118120, CIP No. 813-9921) to complete the action.

Various funding sources support the Annual Street Repair and Resurfacing Project. This includes restricted GFAR and the Local Streets and Roads Program (SB1), which can be used for concrete rehabilitation and repair. The transfer of funds between the Annual Street Repair and Resurfacing Project and the Annual Curb, Gutter, and Sidewalk Maintenance Project is therefore consistent with the intent of the funding sources.

STRATEGIC PRIORITY:

This item does not directly address a Strategic Priority; however, it aligns with the Core Goal of Quality Public Infrastructure. The proposed work ensures safety for all users and supports compliance with the Americans with Disabilities Act (ADA).

BACKGROUND:

The adopted FY 2025/26-2029/30 Capital Improvement Program (CIP) Budget designates funding for the Curb, Gutter, and Sidewalk Maintenance Project (4118120, CIP No. 813-9921). This annual 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 to improve accessibility.

The Annual Curb, Gutter, and Sidewalk Maintenance (Concrete) Project work includes replacing or retrofitting curb ramps for compliance with the Americans with Disabilities Act (ADA) and other accessibility requirements. Title II of the ADA obligates jurisdictions to upgrade non-

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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.

As such, the scope of work proposed for the annual curb, gutter, and sidewalk maintenance project is dictated by the location of the annual paving project, the award of which will be the subject of a future Town Council action.

DISCUSSION:

The Curb, Gutter, and Sidewalk Maintenance Project was advertised for bid on Friday, February 20, 2026. On March 17, 2026, bids were opened with twelve contractors submitting bids. A summary of bid results is presented in Table 1 with QLM, Inc. as the apparent low bidder. A detailed bid summary is included in Attachment 2.

Table 1. Bid Results for the Annual Curb, Gutter, and Sidewalk Maintenance Project (CIP No. 813-9921)

Contractor	Base Bid
<i>Engineers Estimate</i>	<i>\$ 820,000.00</i>
QLM, Inc.	\$ 646,336.00
Spektren Engineering, Inc.	\$ 646,465.19
Duran Construction Group	\$ 705,072.00
Bosco Co.	\$ 731,112.00
ASG Builders	\$ 798,927.60
Sposeto Engineering Inc.	\$ 804,078.50
Zara Construction, Inc.	\$ 819,850.00
Spenco Construction	\$ 832,592.00
FBD Vanguard Construction, Inc.	\$ 873,236.00
JJR Construction, Inc.	\$ 914,281.00
SAE Consulting Engineering	\$ 1,063,910.00
Precision Grade Inc.	\$ 1,225,022.52

Staff reviewed the bids received for responsiveness and responsibility. Based on this review, QLM Inc. was determined to be the lowest responsive and responsible bidder. The proposed construction contract amount of \$646,336.00 is below the engineer’s estimate and is consistent with the scope of work identified in the construction documents. The bid submitted by QLM, Inc. is approximately 21% below the Engineer’s Estimate, indicating competitive pricing consistent with current market conditions.

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Government Code 830.6 states that neither a public entity nor a public employee is liable under this chapter for an injury caused by the plan or design of a construction of, or an improvement to, public property where such plan or design has been approved in advance of the construction or improvement by the legislative body. Staff requests that the Town Council approve the construction plans for this project. Approval of the plans and specifications will provide design immunity pursuant to Government Code Section 830.6. The project construction plans are provided in Attachment 3.

The Town received proposals for materials testing, and staff recommends an agreement with Ninyo & Moore (Attachment 4), which is proposed based on the quality of their proposal and ability to perform the work successfully.

Staff requests approval of a single source contract with PrecisionWorks LLC, DBA Precision Concrete Cutting (Attachment 5) through PLAN JPA, which is a cooperative purchasing authority. This project will be in conjunction with our annual sidewalk project. PCC has performed these services for the Town in the past, and their work was of good quality. PCC is the industry leader and sole contractor that provides horizontal concrete cutting of this type required for this project.

Construction is anticipated to begin in May 2026 and be completed within approximately 56 calendar days.

CONCLUSION:

Staff recommends the Town Council authorize the Town Manager to execute a public works contract with QLM, Inc. for the Curb, Gutter, and Sidewalk Maintenance Project to perform concrete repairs and replacement within the Town.

COORDINATION:

This project was 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.

Attachments:

1. Construction Agreement
2. Bid Summary
3. Construction Plans & Specifications and Addenda
4. Agreement for Material Testing Services
5. Agreement for Sidewalk Cutting Services