



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 06/04/2024

DATE: May 13, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: 2024 Annual Street Repair and Resurfacing Project (CIP No. 811-9901):
a. Award and Authorize the Town Manager to Execute a Contract with O'Grady Paving in an Amount Not to Exceed \$3,274,430;
b. Authorize the Town Manager to Execute Change Orders in an Amount Not to Exceed Ten Percent (10%) of the Contract Award Amount (\$327,443);
c. Authorize the Town Manager to Execute a Contract with BSK for Project Materials Testing in an Amount Not to Exceed \$48,356; and
d. Approve the Project Construction Plans with Addenda as Required by Government Code 830.6 – Design Immunity

RECOMMENDATION:

2024 Annual Street Repair and Resurfacing Project (CIP No. 811-9901):
a. Award and authorize the Town Manager to execute a contract with O'Grady Paving in an amount not to exceed \$3,274,430;
b. Authorize the Town Manager to execute change orders in an amount not to exceed ten percent (10%) of the contract award amount (\$327,443);
c. Authorize the Town Manager to execute a contract with BSK for project materials testing in an amount not to Exceed \$48,356; and
d. Approve the project construction plans with addenda as required by Government Code 830.6 – Design Immunity.

BACKGROUND:

The adopted Five-Year 2023/24 -2027/28 Capital Improvement Program (CIP) Budget designates funding for the 2024 Annual Street Repair and Resurfacing Project (CIP No. 811-9901). The goal of this annually funded project is to enhance safety for all travel modes and maintain the roadway infrastructure. It is important for the Town to perform annual

PREPARED BY: Gary Heap
Town Engineer

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

BACKGROUND (continued):

street maintenance projects to improve the Town's roadways and prevent street pavement from deteriorating to more extensive and costly repair conditions. For the 2024 Street Repair and Resurfacing Project, the focus is on maintenance and repair through milling and placing new hot mix asphalt overlay, and installing micro surfacing, slurry seal, and crack seal treatments.

DISCUSSION:

The 2024 project was advertised for bid on Friday, April 12, 2024. On May 8, 2024, bid packages were opened and six contractors submitted bids. A summary of bid results is presented in Table 1. The contract, base bid plus additive alternate 1, is recommended to be awarded to O'Grady Paving as the apparent low and responsive bidder. The bid was under the engineer's base bid estimate of \$3,489,197.

Table 1. Bid Summary for 2024 Annual Street Repair and Resurfacing Project (CIP No. 811-9901)

CONTRACTOR	BASE BID	ADD. ALT. 1 BID	TOTAL BID
O'Grady Paving	\$2,864,810.00	\$409,620.00	\$3,274,430.00
Radius Earthwork	\$3,011,227.60	\$500,892.72	\$3,512,120.32
Joseph J. Albanese	\$3,222,985.00	\$540,865.00	\$3,763,850.00
G. Bortolotto & Co.	\$3,303,325.00	\$531,638.00	\$3,834,963.00
DeSilva Gates Construction	\$3,656,656.00	\$582,881.00	\$4,239,537.00
Granite Construction	\$4,448,928.67	\$779,911.45	\$5,229,516.60

Government Code 830.6 – Design Immunity 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. The project

DISCUSSION (continued):

construction plans can be found at the following link: <https://www.losgatosca.gov/108/Capital-Improvement-Program>.

This project requires materials testing during construction. As the Town does not have a testing lab, staff requested materials testing proposals from the On-Call Consultants List that was adopted by Town Council on February 15, 2024. The Town received three (3) proposals for materials testing and has selected BSK Associates based on their qualifications and experience. The cost of the materials testing is \$48,356 and will be funded through the project.

CONCLUSION:

Staff recommends awarding and executing an agreement with O'Grady Paving for \$3,274,430 and with BSK Associates for \$48,356 for materials testing. Staff also requests that Town Council formally approve the construction plans, bid documents, and addenda.

COORDINATION:

This project has been coordinated with the Finance Department.

FISCAL IMPACT:

FY 2023/24 Street Repair and Resurfacing Project		
CIP Project 811-9901		
	Budget	Costs
GFAR FY 2023/24 (After Previously Approved Budget Adjustments)	\$ 2,258,797	
Gas Tax	\$ 1,620,034	
Total Budget	\$ 3,878,831	
2024 Public Works Contract (Requested with this Staff Report)		\$ 3,274,430
10% Contingency (Requested with this Staff Report)		\$ 327,443
Material Testing (Requested with this Staff Report)		\$ 48,356
Budget Transfer (Requested with this Staff Report)		\$ 18,555
Annual Street Resurfacing Engineering Support		\$ 23,875
Temporary Staff Costs		\$ 40,000
Total Expenditures		\$ 3,732,659
Available Balance for Carryover		\$ 146,172

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SUBJECT: 2024 Annual Street Repair and Resurfacing Project (CIP No. 811-9901)

DATE: May 23, 2024

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Construction Agreement with Exhibit A – Bid Summary
2. Bid Summary
3. Agreement for Consultant Services with Exhibit A