



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 4/18/2023

ITEM NO: 6

DATE: April 3, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Authorize the Town Manager to Execute a Notice of Completion and Certificate of Acceptance for the Fiscal Year 2022 Annual Storm Drain Improvements – 62 Ellenwood Avenue Project (CIP No. 816-0420), Completed by Casey Construction, and Authorize the Town Clerk to File for Recordation

RECOMMENDATION:

Authorize the Town Manager to execute a Notice of Completion and Certificate of Acceptance for the Fiscal Year (FY) 2022 Annual Storm Drain Improvements – 62 Ellenwood Project (CIP No. 816-0420), completed by Casey Construction, and authorize the Town Clerk to file for recordation.

BACKGROUND:

On September 20, 2022, the Town Council authorized the bidding of the repair of the Town-owned storm drainage system that runs through the private property at 62 Ellenwood Avenue, Assessor's Parcel Number (APN) 510-20-068. Staff worked closely with the property owner and their engineers to develop design plans. The project was advertised for bid on September 26, 2022 and bids were opened on October 10, 2022. Three bids were received and all three exceeded the \$300,000 anticipated project cost. The project was presented to Council at the meeting of October 18, 2022 with a request to reject all bids and rebid the project. Council rejected all bids and authorized the Town Manager to rebid the Project after incorporating cost reduction strategies.

The Town rebid the Project and three bids were again received. The Town entered into an agreement with Casey Construction on December 8, 2022 for \$223,400 to construction the Project.

PREPARED BY: James Watson
Interim Town Engineer

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

SUBJECT: Authorize the Town Manager to Execute a Notice of Completion and Certificate of Acceptance for the Fiscal Year 2022 Annual Storm Drain Improvements – 62 Ellenwood Avenue Project (CIP No. 816-0420), Completed by Casey Construction, and Authorize the Town Clerk to File for Recordation

DATE: April 3, 2023

DISCUSSION:

The construction project began in February 2023. Casey Construction has since satisfactorily completed all contracted work items for a final contract amount of \$214,900. Staff recommends acceptance of the Project (Attachment 1).

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 Notice of Completion and Certificate of Acceptance is now required to finalize the Town's acceptance of the Project.

CONCLUSION:

Authorize the Town Manager to execute a Notice of Completion and Certificate of Acceptance for the 2022 Annual Storm Drain Improvements – 62 Ellenwood Avenue Project (CIP No. 816-0420), completed by Casey Construction, and authorize the Town Clerk to file for recordation.

COORDINATION:

This report has been coordinated with the Finance Department and Town Attorney.

FISCAL IMPACT:

There were sufficient funds available in the CIP Budget for the Annual Storm Drain Improvement Project CIP No. 816-0420 as displayed in the fiscal table.

Annual Storm Drain Improvement Project		
CIP No. 816-0420 - Storm Basin #2 (Fund 462)		
	Budget	Costs
GFAR	\$ 186,600	
Transfer from Fund 462 - Storm Basin #2 (Approved with 9/20/22 Staff Report)	\$ 113,400	
Total Budget	\$ 300,000	
		Costs
Construction Agreement		\$ 214,900
Geotechnical Review		\$ 3,892
Misc. Project Expenses		\$ 1,916
Total Costs		\$ 216,816
Available Balance		\$ 83,184

PAGE 3 OF 3

SUBJECT: Authorize the Town Manager to Execute a Notice of Completion and Certificate of Acceptance for the Fiscal Year 2022 Annual Storm Drain Improvements – 62 Ellenwood Avenue Project (CIP No. 816-0420), Completed by Casey Construction, and Authorize the Town Clerk to File for Recordation

DATE: April 3, 2023

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under the California Environmental Quality Act and is Categorically Exempt (Section 15301c). A Notice of Exemption was previously filed.

Attachment:

1. Certificate of Acceptance and Notice of Completion