

City of Piedmont
COUNCIL AGENDA REPORT

DATE: August 19, 2024

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Consideration of Acceptance of Improvements for the 2023-24 Annual Sidewalk Repair Program Project

RECOMMENDATION

Approve the attached resolution which takes the following actions related to the 2023-24 Annual Sidewalk Repair Program Project:

1. Accept the improvements as complete.
2. Authorize the release of the Performance and Labor and Material Bonds.
3. Retain the Maintenance Bond until August 19, 2025, and, if there are no warranty items found, authorize the Public Works Director to release the Maintenance Bond at that time.
4. Direct the Public Works Director to file the Notice of Completion for the project.

BACKGROUND

On October 16, 2023, the Council authorized award of the 2023-24 Annual Sidewalk Repair Program Project to Rosas Brothers Construction in the amount of \$458,200. All work associated with this project was recently determined to be complete.

DISCUSSION

Public Works staff have determined that the above-referenced work was completed in accordance with the construction documents and specifications. Staff is recommending that the City Council accept the improvements associated with this project, authorize the release of the Performance and Labor and Material Bonds, retain the Maintenance Bond for a period of one year and direct the filing of the Notice of Completion. If no issues have been identified with the improvements one year from acceptance, the Maintenance Bond can be released without further action.

FISCAL IMPACT

The overall expenditures associated with this project are:

	<u>Original Budget</u>	<u>Actual Expenditures</u>	<u>Variance</u>
Construction Contract	\$ 458,200.00	\$ 408,641.50	\$ -49,558.50
Construction Contingency	<u>\$ 45,820.00</u>	<u>\$ 69,437.00</u>	<u>\$ 23,617.00</u>
Totals	\$ 504,020.00	\$ 478,078.50	\$ -25,941.50

Note that during the project, some of the locations in the original contract were deleted and additional locations were added, resulting in being under budget on the main contract and over budget on the contingency. The net result was that the overall project was under the approved budget.

Construction project funding source:

	<u>Funding Allocation</u>
Facilities Maintenance Fund	\$ 478,078.50

CITY ATTORNEY REVIEW

The City Attorney has reviewed the Staff Report and Resolution.

By: Daniel Gonzales, Public Works Director

Attachments:

A. Resolution

**RESOLUTION ACCEPTING THE IMPROVEMENTS CONSTRUCTED FOR
THE 2023-24 ANNUAL SIDEWALK REPAIR PROGRAM PROJECT**

WHEREAS, at the October 16, 2023, City Council meeting, the City Council approved an overall budget for the 2023-24 Annual Sidewalk Repair Program Project (Project) and authorized the award of the construction project to Rosas Brothers Construction; and

WHEREAS, the Project has been inspected and determined to have been completed in accordance with the contract requirements; and

WHEREAS, based upon the foregoing, staff recommends acceptance of the Project on behalf of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF PIEDMONT AS FOLLOWS:**

1. The improvements associated with the 2023-24 Annual Sidewalk Repair Program Project are hereby accepted.
2. The Public Works Director is authorized to release the Performance and Labor and Material surety posted with this project; and to hold the Maintenance Bond for a period of one year from the date of this resolution, at which time the Public Works Director is authorized to release said bond if the improvements remain in good condition and there are no issues to be resolved.
3. The Public Works Director is directed to file a Notice of Completion concerning the Project with the Alameda County Clerk's Office within ten (10) days of the date of this Resolution.