



TO: Mayor and Councilmembers

FROM: Dan Singer, City Manager

CONTACT: Steve Wagner, Community Services Director
Marti Schultz, Principal Civil Engineer

SUBJECT: Notice of Completion for the FY 2008-2009 Pavement Rehabilitation Project - Slurry Seal

RECOMMENDATION:

- A. Adopt resolution No. 09-__ entitled "A Resolution of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Construction of the Fiscal Year 2008-2009 Pavement Rehabilitation Project, Slurry Seal and Establishing Final Quantities"; and
- B. Direct the City Clerk to file the Notice of Completion.

BACKGROUND:

On July 1, 2008, the City Council authorized award of a construction contract for the FY 2008-2009 Pavement Rehabilitation Project – Slurry Seal (Slurry Seal Project), to Bond Blacktop, Inc. (Bond). The project included weed kill, crack seal and the application of slurry seal to city streets, and restriping of all traffic markings and lane lines.

DISCUSSION:

The streets completed as part of this year's slurry seal project are shown in Attachment 1. This work was completed and accepted by staff on December 11, 2008. The completion of the Slurry Seal Project has resulted in approximately 33.0 lane miles or approximately 3.38 million square feet of street rehabilitation over 44 separate City street segments.

The project was not completed within the time allowed by the contract. Liquidated damages (LDs) were assessed pursuant to the contract specifications. LDs were also assessed for failure to complete streets on time, as well as for failed materials tests. The total amount of LDs applied to this contract is \$50,136. Additionally, to facilitate the closeout of the project, the City negotiated a deductive change order to the contract in the amount of -\$18,385, as shown in the table on the following page.

Summary of Assessed Liquidated Damages and Pay Deductions

Over Contract Period	-\$37,500
Failure to Complete Scheduled Streets	-\$1,000
Failed Wet Track Abrasion Tests (WTAT) Pay Reductions	-\$11,636
Change Order Deduction	<u>-\$18,385</u>

Total =-\$68,521

The deductive change order was for the completion of repairs to the City's Corporation Yard parking lot and storage area that was made available to the Contractor for storage, as well as the completion of a small amount of warrantee work for weed kill. The City will use one of our maintenance contractors to complete the repairs to the Corporation Yard and we will use City crews to complete the weed kill. The project was completed within budget. A Notice of Completion pursuant to Public Contract Code §20854 is recommended for approval.

ALTERNATIVES:

The Council may elect not to file a Notice of Completion on this project. If a Notice of Completion is not filed, the time period for claims would be extended from 30 to 90 days.

LEGAL REVIEW:

This staff report has been reviewed by the City Attorney.

FISCAL IMPACTS:

The contract with Bond was awarded in the amount of \$923,125 with a change order authority of \$180,000 for a total approved contract award of \$1,103,125. The value of the work completed by Bond is \$686,379.65. The final contract amount paid to Bond is \$617,857.85. As shown in the table below, this represents a contract savings of \$485,267.15, not including design and inspection costs of \$144,641.

Value of Work Completed	\$686,379.65
Change Order Deduction	(\$ 18,385.00)
Assessed Liquidated Damages	(\$ 50,136.80)
Final Contract Amount Paid	\$617,857.85

Submitted By:

Reviewed By:

Approved By:

Steve Wagner
Community Services
Director

Michelle Greene
Administrative Services
Director

Daniel Singer
City Manager

ATTACHMENTS:

1. List of Streets
2. A Resolution of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Construction of the Fiscal Year 2008-2009 Pavement Rehabilitation Project, Slurry Seal and Establishing Final Quantities.
3. Notice of Completion.

ATTACHMENT #1

List of Streets

FY 2008-2009 Pavement Rehabilitation Project – Slurry Seal
List of Streets

Street Name	From	To
Aberdeen Avenue	E/S Kamala Avenue	W/S Valdez Avenue
Alpine Drive	N/S Tuolumne Drive	CDS
Armitos Avenue	Dearborn Drive	End
Avenida Garza	S/S Covington Way	N/S Avenida Ganso
Barrington Way	E/S Carlo Drive	W/S Amherst Drive
Berkeley Road	E/S Fairview Avenue	End
Calle Real	Daffodil Drive	W/S Brandon Drive
Calle Real	La Patera Lane	W/S Fairview Avenue
Carlo Drive	S/S Stow Canyon Road	N/S Calle Real
Carmel Beach Circle	W/S Santa Barbara Shores	CDS
Castillian Drive	W/S Los Carneros Way	420' W/O Los Carneros Wy
Cathedral Oaks Bike Path	Glen Annie Road	King Daniel Lane
Cathedral Oaks Road	Calle Real	E/S Los Carneros Road
Coloma Drive	E/S Carlo Drive	W/S Vega Drive
Coromar Drive	N/S Hollister Avenue	270' N/O Hollister Avenue
Craigmont Drive	E/S Carlo Drive	East End
Cremona Drive	S/S Los Carneros Road	N/S Hollister Avenue
Dearborn Place	N/S Hollister Avenue	CDS
Del Norte Drive	180 W/O Glen Annie Road	W/S Glen Annie Road
Ellwood Beach Drive	E/S Entrance Drive	500' S/O/ Entrance Drive
Evergreen Drive	West End	Cathedral Oaks
Fairview Avenue	S/S 101 Bridge Deck	N/S Hollister Avenue
Forest Drive	N/S Evergreen Drive	W/S Evergreen Drive
Glen Annie Road	N/S Calle Real	Cathedral Oaks Road
Guava Avenue	E/S Kamala Way	W/S Valdez Avenue
Hollister Avenue	Dearborn Place	W/S Ward Drive
Hollister Avenue	Pebble Beach Drive	S/S 101 Bridge Deck
Kellogg Avenue	S/S Hollister Avenue	South Street
Kellogg Place	E/S Kellogg Way	W/S Kellogg Avenue
Kellogg Way	N/S Kellogg Avenue	North End
Linfield Place	N/S Whittier Drive	CDS
Marbury Drive	E/S Sylvan Drive	W/S Kellogg Avenue
Murfield Drive	E/S Windsor Avenue	W/S Valdez Avenue
Pacific Oaks Road	S/S Hollister Avenue	N/S Marymount
Pismo Beach Cir.	W/S Santa Barbara Shores	CDS
Ravenscroft	N/S Pedernal Avenue	N/S Pedernal Avenue
Redwood Way	N/S Evergreen Drive	CDS
Rochester Place	W/S Calle Real	CDS
Rutherford Street	Hollister Avenue	S/S Dawson Street
Salisbury Avenue	N/S Evergreen Drive	CDS
San Mateo Avenue	S/S Madera Drive	N/S Calle Real
San Napoli Drive	Evergreen	CDS
San Napoli Drive	S/S Evergreen Drive	W/S Salisbury Avenue
Santa Barbara Shores Drive	S/S Hollister Avenue	S/S Sea Gull Drive
Saratoga Court	W/S Coronado Drive	W/S Coronado Drive
Sea Gull Drive	E/S Daytona Drive	East End
Stow Canyon Road	E/S Fairview Avenue	Via Fiori Drive
Strehle Lane	E/S Mathilda Drive	W/S Ellwood Beach Drive
Verdura Avenue	E/S Carlo Drive	W/S Vega Drive
Via Fiori Drive	East CDS	West CDS
Ward Drive	3510' S/O Hollister Avenue	South End
Yolo Lane	Alpine Drive	CDS

ATTACHMENT #2

**A Resolution of the City of Goleta, California Authorizing
the Filing of a Notice of Completion for the Construction
of the Fiscal Year 2008-2009 Pavement Rehabilitation
Project, Slurry Seal and Establishing Final Quantities**

RESOLUTION NO. 09 -

**A RESOLUTION OF THE CITY OF GOLETA, CALIFORNIA
AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR
THE CONSTRUCTION OF THE FISCAL YEAR 2008-2009
PAVEMENT REHABILITATION PROJECT, SLURRY SEAL AND
ESTABLISHING FINAL QUANTITIES**

WHEREAS, on July 1, 2008 the City of Goleta authorized award of a construction contract to Bond Blacktop, Inc., Contract Number 2008-071 for the construction of the Fiscal Year 2008/2009 Pavement Rehabilitation Project, Slurry Seal; and

WHEREAS, Said project was found to be substantially complete on December 11, 2008; and

WHEREAS, Said project had a final contract amount of \$617,857.85; and

WHEREAS, the City Engineer has evaluated the work and cost figures and recommends approval.

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

SECTION 1.

The work required to be performed by said Contractor has been completed.

SECTION 2.

The work is hereby accepted and approved by the City Engineer and final quantities have been established in accordance with Exhibit A.

SECTION 3.

The City Clerk is directed to certify the Resolution and to forthwith forward a "Notice of Completion" to the Recorder of the County of Santa Barbara for recording.

SECTION 4.

The City Clerk is directed to release security posted for the completion of the project thirty (30) days after recordation of the Notice of Completion by the County of Santa Barbara Recorder, provided that no stop notices have been filed against said contractor.

PASSED, APPROVED, AND ADOPTED this 21st day of April 2009.

ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

TIM GILES
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)
CITY OF GOLETA) ss.

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 09- was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 21ST day of April 2009, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

EXHIBIT A

City of Goleta FY 2008-2009 Pavement Rehabilitation Project Slurry Seal

STATEMENT OF FINAL QUANTITIES

Item No.	Description	Unit	Bid Qty	Unit Price	Actual Qty	Total Price
1	Mobilization	LS	1	\$100,000.00	1	\$100,000.00
2	Slurry Seal City Streets (Type II)	ELT	3,100	\$180.00	1,965	\$353,682.00
3	Slurry Seal City Streets (Type III)	ELT	375	\$195.00	311.27	\$60,697.65
4	Crack Seal City Streets	LS	1	\$78,000.00	1	\$78,000.00
5	Traffic Striping, Pavement Markings and Raised Pavement	LS	1	\$94,000.00	1	\$94,000.00
6	Supplemental Work	LS	1	\$20,000.00	0	\$0.00
Subtotal						\$686,379.65
Change Order #1						-\$18,385.00
Liquidated Damages						-\$50,136.80
Final Contract Amount						\$617,857.85

ATTACHMENT #3

Notice of Completion

RECORDING REQUESTED BY:
WHEN RECORDED RETURN TO:

City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117
ATTN: CITY CLERK

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from recording fee, per Government Code
Section 6103

CITY OF GOLETA, CALIFORNIA

By: Deborah Constantino
City Clerk

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that a contract was heretofore awarded by the City Council of the City of Goleta, California, to Bond Blacktop, Inc., for the performance of the following work:

FISCAL YEAR 2008-2009 PAVEMENT REHABILITATION PROJECT, SLURRY SEAL

Said work was substantially completed on December 11, 2008, by said company; was completed in accordance with City standards and to the satisfaction of the City Engineer of the City of Goleta; and was accepted by the City Council of the City of Goleta, owner, at a regular meeting thereof held on the 21st day of April 2009, by Resolution No. 09- .

Upon said contract, surety was given by International Fidelity Insurance Company, Bond Number 0474559, as required by law.

DATED this 21st day of April 2009, at Goleta, California.

DEBORAH CONSTANTINO,
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss
CITY OF GOLETA)

I, Deborah Constantino, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Notice of Completion is true and correct, and that said Notice of Completion was duly and regularly ordered to be recorded in the Office of the Santa Barbara County Recorder by said City Council.

DATED this 21st day of April 2009, at Goleta, California.

DEBORAH CONSTANTINO
CITY CLERK