

- **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 L	<u>eductions</u>
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

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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.

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

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     Irom     10       Aberdeen Avenue     E/S Kamala Avenue     W/S Valdez Avenue       Apine Drive     Dearborn Drive     End       Armitos Avenue     Dearborn Drive     End       Avenida Garza     S/S Covington Way     N/S Avenida Ganso       Barnington Way     E/S Carlo Drive     W/S Armenst Drive       Barnington Way     E/S Carlo Drive     W/S Armenst Drive       Calle Real     La Patera Lane     W/S Farrivew Avenue       Calle Real     La Patera Lane     W/S Farrivew Avenue       Carlo Drive     S/S Stow Canyon Road     N/S Calle Real       Carlo Brive     W/S Los Cameros Way     420 W/O Los Cameros Wy       Cathedral Oaks Road     Calle Real     E/S Los Cameros Road       Coloma Drive     E/S Carlo Drive     W/S Vega Drive       Coromar Drive     N/S Hollister Avenue     Z/D N/O Hollister Avenue       Cremona Drive     S/S Carlo Drive     East End       Cremona Drive     K/S Carlo Drive     East Carlo Drive       Eard Carlo Drive     S/S Carlo Drive     C/D N/S Hollister Avenue       Dei Norte Drive     N/S Hollister Avenue	List of Streets									
Alpine Drive     N/S Tuolume 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 Antherst Drive       Barle Real     Daffodil Drive     W/S Fandon Drive       Calle Real     La Patera Lane     W/S Fairview Avenue       Carlo Drive     S/S Stow Canyon Road     N/S Calle Real       Castillian Drive     W/S Los Cameros Way     420 W/O Los Cameros Wy       Castellian Drive     W/S Los Cameros Way     420 W/O Los Cameros Road       Cathedral Oaks Road     Calle Real     E/S Los Carneros Road       Coman Drive     K/S Carlo Drive     W/S Vega Drive       Carbedral Oaks Road     Calle Real     E/S Los Carneros Road       Coman Drive     K/S Carlo Drive     East End       Caragmont Drive     K/S Carlo Drive     East End       Caragenont Drive     K/S Carlo Drive     East End       Caragenont Drive     K/S Carlo Drive     East End       Caragenont Drive     K/S Carlo Brive     SOS 'S/O' Entrance Drive       Elwood Beach Drive	Street Name	From	То							
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     Daffodi Drive     W/S Fairview Avenue       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       Cathedral Oaks Bike Path     Glen Annie Road     King Daniel Lane       Cathedral Oaks Bike Path     Glen Annie Road     King Daniel Lane       Cathedral Oaks Bike Path     Glen Annie Road     E/S Carlo Drive       Coromar Drive     E/S Carlo Drive     W/S Vega Drive       Coromar Drive     K/S Hollister Avenue     Z0° N/O Hollister Avenue       Carlo Drive     K/S Carlo Drive     East End     Cathedral Oaks       Carlo Drive     K/S Hollister Avenue     CDS     Del Norte Drive       Del Norte Drive     K/S Hollister Avenue     CDS     Del Norte Drive       Evergreen Drive     K/S Hollister Avenue										
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Barrington Way     E/S Carlo Drive     W/S Amherst Drive       Berkeley Road     E/S Fairview Avenue     End       Calle Real     La Patera Lane     W/S Fairview Avenue       Carlo Drive     S/S Stow Canyon Road     N/S Calle Real       Carno Drive     S/S Stow Canyon Road     N/S Calle Real       Carnol Beach Circle     W/S Santa Barbara Shores     CDS       Castillian Drive     W/S Los Carneros Way     420 'W/O Los Carneros Road       Coloma Drive     E/S Carlo Drive     W/S Vega Drive       Cathedral Oaks Bike Path     Glen Annie Road     King Daniel Lane       Coromar Drive     E/S Carlo Drive     East End       Coromar Drive     E/S Carlo Drive     East End       Cramona Drive     E/S Carlo Drive     East End       Cramona Drive     S/S Los Carneros Road     N/S Hollister Avenue       Del Norte Drive     I 80 W/O Glen Annie Road     W/S Glen Annie Road       Elwood Beach Drive     K/S Calle Breal     Cathedral Oaks       Fairview Avenue     S/S 101 Bridge Deck     N/S Hollister Avenue       Forest Drive     W/S Calle Real     Cathedral Oaks       Gle										
Berkeley Road     E/S Fairview Avenue     End       Calle Real     Daffodil Drive     W/S Brandon Drive       Carle 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     N/S Hollister Avenue     270 N/O Hollister Avenue       Coromar Drive     N/S Hollister Avenue     270 N/O Hollister Avenue       Craigmont 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       Elwood Beach Drive     E/S Carlo Drive     S/O S 10/O Entrance Drive       Evergreen Drive     West End     Cathedral Oaks Road       Fairview Avenue     S/S 101 Bridge Deck     N/S Hollister Avenue       Forest Drive     N/S Calle Real     Ca	Avenida Garza		N/S Avenida Ganso							
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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     Cathedral Oaks Bike Path   Glen Annie Road   King Daniel Lane     Cathedral Oaks Road   Calle Real   E/S Los Carneros Road     Coloma Drive   K/S Carlo Drive   W/S Vega Drive     Coromar Drive   N/S Hollister Avenue   270 N/O Hollister Avenue     Craigmont Drive   S/S Los Carneros Road   N/S Hollister Avenue     Craigmont Drive   S/S Los Carneros Road   N/S Hollister Avenue     Dearborn Place   N/S Hollister Avenue   CDS     Det 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 Calle Real   Cathedral Oaks Road     Guan Annie Road   N/S Calle Real   Cathedral Oaks Road     Guan Avenue   E/S Kamala Way   W/S Valdez Avenue     Hollister Avenue   Deaborn Place </td <td></td> <td></td> <td></td>										
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## **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 21<sup>st</sup> day of April 2009.

ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO CITY CLERK TIM GILES CITY ATTORNEY 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 21<sup>ST</sup> 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

ltem	Description	Unit	Bid	Unit Price	Actual	Total Price
No.			Qty		Qty	
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	

## STATEMENT OF FINAL QUANTITIES

# 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: <u>Deborah Constantino</u> 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 21<sup>st</sup> 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 21<sup>st</sup> 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 21<sup>st</sup> day of April 2009, at Goleta, California.

DEBORAH CONSTANTINO CITY CLERK