



**Agenda Item B.3**  
**CONSENT CALENDAR**  
**Meeting Date: September 2, 2008**

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**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 Shaw Excavating and Grading, Inc. for the Construction Contract for Armitos Park

**RECOMMENDATION:**

- A. Adopt Resolution No. 08-\_\_ entitled "A Resolution of the City of Goleta, California Authorizing the Filing of a Notice of Completion for Construction of the Armitos Park Development Project and Establishing Final Quantities;" and
- B. Direct the City Clerk to file the Notice of Completion.

**BACKGROUND:**

On April 1, 2008, Council awarded a construction contract for the Armitos Park project to Shaw Excavating and Grading, Inc. (Shaw), in the amount of \$117,381. Armitos Park is located on Armitos Avenue, east of Kellogg Avenue.

**DISCUSSION:**

The construction contract with Shaw for Armitos Park included the construction of concrete curbing, sidewalk, placement of aggregate base, landscaping and an irrigation system. This work was completed and accepted by staff on July 15, 2008. Staff eliminated the placement of sod from Shaw's construction contract bid items since the timing of installation of a GWD water meter was unknown. The other landscape plantings were watered through the maintenance period by Shaw. The plantings are now being watered through the City's contract services with Valley Crest under the Annual Park Services Contract. The purchase and installation of the safety surface and the playground equipment was completed under separate contracts.

The work conducted by Shaw was completed on time and within budget. A Notice of Completion pursuant to Public Contract Code §20854 is recommended for approval.

**GOLETA STRATEGIC PLAN:**

The construction of the Armitos Park Project is consistent with the Goal in the Goleta Strategic Plan entitled, "Prioritize Maintenance of City Streets, Parks & Facilities" and "Emphasize Old Town Revitalization." Specifically, this construction project meets the Objective "Acquire Property for Neighborhood Parks" and moves the City closer toward realizing its vision as defined within the City's Strategic Plan.

**ALTERNATIVES:**

The Council may elect not to file a Notice of Completion for this portion of the Armitos Park Development project. If a Notice of Completion is not filed, the time period for claims would be extended from 60 to 90 days.

**FISCAL IMPACTS:**

The FY 2007-08 budget includes \$288,477 in Proposition 40 State Park Funds in Account No. 301-5-9012-705. Of this amount \$140,000 was budgeted for the construction of Armitos Park. The construction contract with Shaw was awarded in the amount of \$117,381 with a change order authority of \$15,000, for a total approved contract award of \$132,381. The final construction cost of the work performed by Shaw for the project is \$117,053, which represents a savings of \$15,328.

The following table summarizes the construction phase project expenditures including funding source:

SHAW EXCAVATING AND GRADING, INC. Armitos Park Development			
Prop. 40 State Park Fund Acct. No. 301-5-9012-705	AWARDED	EXPENDED	SAVING/ (OVERAGE)
Construction Contract	\$117,381	\$117,053	\$328
Change Order Authority	\$15,000	0	\$15,000
<b>TOTALS</b>	<b>\$132,381</b>	<b>\$117,053</b>	<b>\$15,328</b>

Submitted By:

Reviewed by:

Approved By:

\_\_\_\_\_  
Steve Wagner  
Community Services  
Director

\_\_\_\_\_  
Michelle Greene  
Administrative Services  
Director

\_\_\_\_\_  
Daniel Singer  
City Manager

**ATTACHMENTS:**

1. A Resolution of the City of Goleta Authorizing the Filing of a Notice of Completion for Construction of Armitos Park Development Project and Establishing Final Quantities.
2. Notice of Completion.

## **ATTACHMENT 1**

**A Resolution of the City of Goleta Authorizing  
the Filing of a Notice of Completion for  
Construction of Armitos Park Development  
Project and Establishing Final Quantities**

**RESOLUTION NO. 08 - \_\_\_**

**A RESOLUTION OF THE CITY OF GOLETA, CALIFORNIA  
AUTHORIZING THE FILING OF A NOTICE OF COMPLETION FOR  
CONSTRUCTION OF ARMITOS PARK DEVELOPMENT PROJECT  
AND ESTABLISHING FINAL QUANTITIES**

**WHEREAS**, on April 1, 2008, the City of Goleta authorized award of a construction contract to Shaw Excavating & Grading, Inc., for the Construction of Armitos Park Development Project; 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 (60) 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 2<sup>nd</sup> day of September 2008.

\_\_\_\_\_  
MICHAEL T. BENNETT, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

\_\_\_\_\_  
TIM W. 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. 08- was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 2<sup>nd</sup> day of September, 2008, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

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DEBORAH CONSTANTINO  
CITY CLERK

**Exhibit A**

**City of Goleta  
Armitos Park Development Project  
Project No. 9012**

<b>BID ITEM</b>	<b>UNIT</b>	<b>Contract Quantity</b>	<b>Unit Price (\$)</b>	<b>Contract Cost</b>	<b>Final Quantity</b>	<b>Final Cost</b>	<b>Cost Difference</b>
Move in/out, Bonds and Insurance	LS	1	\$8,917.00	\$8,917.00	1	\$8,917.00	\$0.00
Construction Area Signs / Public Notice	LS	1	\$714.00	\$714.00	1	\$714.00	\$0.00
Clear and Grub	LS	1	\$5,993.00	\$5,993.00	1	\$5,993.00	\$0.00
Earthwork (Appx. 376 CY import)	LS	1	\$19,887.00	\$19,887.00	1.1	\$22,369.00	\$2,482.00
Miscellaneous Concrete - Curb (Type A - Tinted)	LF	158	\$28.50	\$4,503.00	158	\$4,503.00	\$0.00
Sidewalk (Tinted & Scored: Note 0.35' AB (C12) under concrete)	SF	1,912	\$12.00	\$22,944.00	1912	\$22,944.00	\$0.00
Rubber Safety Surface (3/4-" max)	TON	74	\$37.00	\$2,738.00	74	\$2,738.00	\$0.00
Tree Well	EA	1	\$3,000.00	\$3,000.00	1	\$3,000.00	\$0.00
Soil Preparation	SF	13,350	\$0.45	\$6,007.50	13350	\$6,007.50	\$0.00
24-inch Box Tree	EA	12	\$313.50	\$3,762.00	11	\$3,448.50	(\$313.50)
5-gallon Shrub	EA	188	\$23.38	\$4,395.44	161	\$3,764.18	(\$631.26)
1-gallon Shrub	EA	704	\$9.35	\$6,582.40	554	\$5,179.90	(\$1,402.50)
Bark Mulch	CY	72	\$77.00	\$5,544.00	72	\$5,544.00	\$0.00
Sod	SF	2430	\$1.38	\$3,353.40	0	\$0.00	(\$3,353.40)
Irrigation System	LS	1	\$14,300.00	\$14,300.00	1	\$14,300.00	\$0.00
Landscape maintenance	LS	1	\$4,732.00	\$4,732.00	0.33	\$1,561.56	(\$3,170.44)
Landscape Hand Water	LS			\$0.00	1	\$4,908.00	\$4,908.00
Additional Irrigation	LS			\$0.00	1	\$1,161.00	\$1,161.00
Bid Irregularity	LS	1		\$8.00	0	\$0.00	(\$8.00)
<b>TOTALS:</b>				<b>\$117,380.74</b>		<b>\$117,052.64</b>	<b>(\$328.10)</b>

## **ATTACHMENT 2**

### **Notice of Completion**



RECORDING REQUESTED BY:  
WHEN RECORDED RETURN TO:

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

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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 Shaw Excavating and Grading, Inc., for the performance of the following work:

#### ARMITOS PARK DEVELOPMENT

Said work was completed on July 15, 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 2<sup>nd</sup> day of September, 2008, by Resolution No. 08-XX.

Upon said contract, surety was given by Contractors Bonding and Insurance Company, Bond Number CE4047, as required by law.

DATED this 2<sup>nd</sup> day of September, 2008, at Goleta, California.

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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 2<sup>nd</sup> day of September, 2008, at Goleta, California.

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DEBORAH CONSTANTINO  
CITY CLERK