

City of La Palma

Agenda Item No. 5



MEETING DATE: February 5, 2019

TO: CITY COUNCIL

FROM: CITY MANAGER

SUBMITTED BY: Mike Belknap, Community Services Director

AGENDA TITLE: Notice of Completion and Acceptance of Work for the Community Development Block Grant (CDBG) Americans with Disabilities Act (ADA) Pedestrian Ramp Construction Project, Phase II, City Project No. ST-352

RECOMMENDED ACTION:

It is recommended that the City Council accept the work and authorize the Community Services Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for the Community Development Block Grant (CDBG) Americans with Disabilities Act (ADA) Ramp Construction Project, Phase III, City Project No. ST-352.

SUMMARY:

At its meeting on November 20, 2018, the City Council awarded a contract in the amount of \$317,470 to Kalban Incorporated of Santa Clarita, California, for construction services for the CDBG ADA Ramp Construction Project, Phase III, City Project No. ST-352.

The Contractor has completed the work and their quality of work is satisfactory. The final contract amount is \$337,385, a total of \$19,915 over the original bid amount of \$317,470. The increase in project costs are a result of additional non-participating project quantities as follows:

- Additional 955 square feet of sidewalk
- 110 lineal feet of curb and gutter repairs

These quantities completed overdue repairs due to pavement settlements and damaged improvements; utilizing the contractor was the cost effective solution to expedite the repairs. Both items were constructed at the contract unit prices and no change order was required. A five percent (5%) contingency was included in the project approval and an additional \$4,040 of contingency funding was needed to complete project funding due to the additional quantities. City Council approval of the contract included contingency beyond the identified five percent (5%), to a maximum of twenty-five percent (25%) per the Standard Specifications for Public Works Construction, otherwise known as the "Greenbook." The total contingency utilized equates to six percent (6%).

The final 5% retention for the project is released to the contractor after the Notice of Completion and Acceptance of Work is recorded with the Orange County Recorder's Office. No liens or stop notices against the contractor or project have been received; therefore the final 5% retention payment must be released to the contractor as per the contract documents.

FISCAL IMPACT:

The City received \$270,000 in CDBG Grant funds in the spring of 2018. Funds in the amount of \$270,000 for the CDBG ADA Ramp Construction Project, Phase III, were included in the Capital Outlay Reserve (COR) Funds, Fiscal Year 2018-19 Capital Improvement Plan budget (Account Number 014-900-8865.00000). The contingency funding of \$19,915 to fund the non-participating costs are available in the Curb and Gutter COR funds (035-900-8140-00000). As per the County of Orange Agreement (dated March 21, 2017), the City will receive \$261,435 in CDBG Funds once the Notice of Completion is filed with the County and the final reimbursement package is submitted. The reimbursement amount is lower than the grant award due to actual construction costs.

APPROVED:



Department Director



Administrative Services
Director



City Manager

Attachment: 1. Notice of Completion

Recording Requested By
CITY OF LA PALMA

When Recorded Mail To:
CITY OF LA PALMA
7822 Walker Street
La Palma, CA 90623-1771

This Space is for Recorder's Use Only

**NOTICE OF COMPLETION
AND
ACCEPTANCE OF WORK**

NOTICE IS HEREBY GIVEN that the City of La Palma, 7822 Walker Street, La Palma, California 90623, as owner of the property hereinafter described caused improvement to be made, to wit:

work includes, but not limited to: removal of forty seven (47) existing non-compliant ramps and replace ramps with current ADA standards including all materials, equipment, tools, labor and incidentals needed to complete the project per the plans and specifications.

The contract for the doing of which was heretofore entered into on the **20th** day of **November, 2018**, which contract was made with **Kalban, Incorporated**, as Contractor; that the work was actually accepted on the **31st** day of **December, 2018**; that title to said property is vested in the City of La Palma; that the surety for said Contractor is **THE GUARANTEE COMPANY OF NORTH AMERICA USA**, that the property hereinbefore referred to and on which said improvement was made is described as follows:

CDBG ADA RAMP CONSTRUCTION PROJECT, PHASE 3, CITY PROJECT NO. ST-352

CITY OF LA PALMA

**EXEMPTION REQUESTED PURSUANT TO
GOVERNMENT CODE SECTION 6103
CITY OF LA PALMA**

By _____
Community Services Director

By _____
Community Services Director

**STATE OF CALIFORNIA) SS
COUNTY OF ORANGE)**

I, MICHAEL S. BELKNAP, being first duly sworn, deposes and says; that he is the Community Services Director of the City of La Palma; that said City is the owner of said property described in the foregoing notice; that he has read the foregoing notice and knows the contents thereof and that the facts stated therein are true.

By _____
Community Services Director

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____ }
On _____ before me, _____

Personally appeared _____

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above _____ Signature _____
Signature of Notary Public Signature of Notary Public