

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Dave Klotzle, City Engineer/Public Works Director 

**DATE:** April 22, 2011 (CC Meeting of 05/04/11)

**SUBJECT:** Consider Notice of Completion for the Mountain Trail Street and Spring Road Pavement Rehabilitation Project (Project 8083)

**BACKGROUND**

On May 5, 2010, the City Council awarded a construction contract to Nye & Nelson, Inc., in the amount of \$510,394.90 for the Mountain Trail Street and Spring Road Pavement Rehabilitation Project. The Notice to Proceed for construction was effective July 12, 2010.

The scope of work included a) the construction of a rubberized asphalt overlay on Mountain Trail Street between Tierra Rejada Road and Country Hill Road, and on Spring Road from Peach Hill Road to a point 2,000 feet to the south, and b) the construction of a raised landscaped center median on Mountain Trail Street between Cedar Springs Street and Mountain Meadow Drive. After experiencing delays due to an industry-wide shortage of thermoplastic striping material, construction of the project was completed in December 2010.

**DISCUSSION**

Six change orders were approved for the project, totaling \$78,442.60. Most of the change order costs are related to a) a decision to increase the size of the median on Mountain Trail Street, and b) increased quantities for deep asphalt removal and replacement in order to fully address actual field conditions. On November 3, 2010, the City Council authorized an amendment to the construction contract increasing the original amount for contingencies of \$52,000.00 to \$82,000.00 for the change orders.

The change orders are listed as follows:

<u>Change Order Description</u>	<u>Amount</u>
CCO No. 1 Increase area of raised median	\$ 19,725.00
CCO No. 2 Add mounding to median design	\$ 3,791.21
CCO No. 3 Adjust manholes in expanded median	\$ 854.25
CCO No. 4 Time extension	\$ -
CCO No. 5 Quantity adjustments	\$ 55,234.64
CCO No. 6 Add loop detectors \$3,352.50 less credit for Inspection Overtime (\$4,515.00)	\$ (1,162.50)
Change Order Total	\$ 78,442.60

Final inspection of the project has been completed and the work has been found to be acceptable. At this time it would be appropriate for the City Council to accept the subject project as complete so that the City Clerk may record the Notice of Completion (Attachment 1).

**FISCAL IMPACT**

The project construction was funded by a combination of American Recovery and Reinvestment Act (ARRA) funds and Tree and Landscape funds. The project inspection was funded entirely by ARRA funds. The total construction cost is summarized below.

<u>Description</u>	<u>Amount</u>
Bid Amount	\$ 510,394.90
Change Orders	\$ 78,442.60
Final Quantity Adjustments	\$ (5,948.04)
Total Construction Cost	\$ 582,889.46
Construction Budget	\$ 590,828.90
Amount Under Construction Budget	\$ 7,939.44

Total project costs including pavement testing, design, construction and inspection are summarized by fund as follows:

<u>Budget by Fund</u>	<u>Project Budget</u>	<u>Actual Cost</u>	<u>Under Budget (Over Budget)</u>
Pavement Testing 2605 - Gas Tax	\$ 8,824.00	\$ 8,824.00	\$ -
Design 2001 -TSM	\$ 20,000.00	\$ 20,991.78	\$ (991.78)
Construction			
2150 -Tree & Landscape	\$ 29,000.00	\$ 24,370.46	\$ 4,629.54
2604 ARRA Funds	\$ 561,828.90	\$ 558,519.00	\$ 3,309.90
Construction Subtotal	\$ 590,828.90	\$ 582,889.46	\$ 7,939.44
Inspection			
2604 ARRA Funds	\$ 56,171.10	\$ 41,087.15	\$ 15,083.95
Project Total	\$ 647,000.00	\$ 623,976.61	\$ 22,031.61

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In total, the project was completed \$22,031.61 under budget. Staff will process a budget line item adjustment to correct the \$991.78 design deficit in the TSM Fund.

**STAFF RECOMMENDATION**

Authorize the City Clerk to file the Notice of Completion for the project.

Attachment:

1 – Notice of Completion (Nye & Nelson, Inc.)

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

NAME City of Moorpark  
STREET ADDRESS 799 Moorpark Avenue  
CITY STATE Moorpark, CA 93021  
ZIP Attn: City Clerk

No Fee Required (Govt Code Sec 6103 & 27383)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. (See reverse side for complete requirements.)  
Notice is hereby given that:

- The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
- The full name of the owner is City of Moorpark
- The full address of the owner is 799 Moorpark Avenue, Moorpark, CA 93021
- The nature of the interest or estate of the owner is: In fee.  
Purchaser under contract of purchase  
(If other than Fee, strike "In fee" and insert, for example, "purchaser under contract of purchase," or "Lessee")

5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES	ADDRESSES

6. The full names and full addresses of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work or improvements herein referred to:

NAMES	ADDRESSES

7. A work of improvement on the property hereinafter described was completed on May 4, 2011. The work done was: rubberized asphalt overlay

8. The names of the contractor, if any, for such work of improvement was Nye & Nelson, Inc.  
May 24, 2010  
(If no contractor for work of improvement as a whole, insert "None") (Date of Contract)

9. The property on which said work of improvement was completed is in the City of Moorpark, County of Ventura, State of CA, and is described as follows: pavement rehabilitation on Mountain Trail Street, between Tierra Rejada Road & Cedar Springs Street, & Spring Road from Peach Hill to a point 2,000 feet to the south

10. The street address of said property is none  
(If no street address has been officially assigned, insert "none".)

Dated \_\_\_\_\_

(Signature of Owner or corporate officer of Owner named in paragraph 2, or his agent)  
Steven Kueny, City Manager, City of Moorpark

## VERIFICATION

I, the undersigned, say: I am the City Manager the declarant of the foregoing Notice of Completion;

(President of, Manager of, Partner of, Owner of, etc.)

I have read said Notice of Completion and know the contents thereof; the same is true to my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, 2011 at Moorpark, California

(Personal signature of the individual who is swearing that the contents of the Notice of Completion are true)  
Steven Kueny, City Manager, City of Moorpark

