ITEM 10.K.

MOORPARK CITY COUNCIL
AGENDA REPORT

TO: **Honorable City Council**

FROM: **Hugh R. Riley, Assistant City Manager**

DATE: **February 25, 2013 (CC Meeting of (3/6/13)**

SUBJECT: **Consider Authorization for Recordation of a Notice of Completion for City of Moorpark Contract # 2011-090; Bid Package # 13– Flooring and Ceramic Flooring- Reliable Floor Covering, Inc. for the Ruben Castro Human Services Center**

BACKGROUND & DISCUSSION

The Ruben Castro Human Services Center (RCHSC) was constructed as a multiple-prime contract project with construction management provided by Barnhart Balfour Beatty Construction (Balfour Beatty). Bids were solicited from trades in September 2010, opened on October 21, 2010 and construction contracts awarded by the City Council on January 19, 2011. Reliable Floor Covering, Inc. (Reliable) was selected as the lowest responsive and responsible bidder for the Flooring and Ceramic Flooring bid package (Bid Package #13) and a construction agreement was executed on March 29, 2011.

As of February 20, 2013, all contract installation and administrative requirements have been satisfied by Reliable. All requirements have been reviewed and found acceptable by staff and Balfour Beatty and their recommendation is attached. Staff is requesting that the City Council authorize the recordation of a Notice of Completion and release the Surety Bond # 350329P at the expiration of the warranty period.

Upon City Council authorization to City Staff, the City Clerk shall file and record the Notice of Completion with the County of Ventura. The City shall allow the required statutory time to elapse, before releasing the final retention to Reliable and release the project bonds in accordance with the contract provisions as follows:

- Payment Bond No. 350329P shall be released one (1) year after the recordation of the Notice of Completion
- Performance Bond No. 350329P shall be null and void one year after the recordation of the Notice of Completion

Concurrence by the County of Ventura, as an obligee on these bonds, will also be required before the bonds can be exonerated.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Authorize the City Clerk to file a Notice of Completion for the specified work, and authorize the release of the project bonds as described in the staff report.

ATTACHMENTS:

1. Recommendation Letter from Balfour Beatty Construction
2. Notice of Completion

Balfour Beatty
Construction

Hugh R. Riley
Assistant City Manager
799 Moorpark Ave.
Moorpark CA 93021

February 20, 2013

Project: **Ruben Castro Human Services Center, City of Moorpark**

Re; **Recommendation to issue a Notice of Completion**
Bid Package # 13 – Flooring and Ceramic Flooring
Reliable Floor Covering, Inc.
City of Moorpark Contract # 2011-090

Dear Mr. Riley,

Please accept this letter as recommendation to request City Council approval for issuance of a Bid Package Notice of Completion for work related to Bid Package #13 – Flooring and Ceramic Flooring. All contract installation and administrative requirements have been satisfied by Reliable Floor Covering, Inc. All requirements have been reviewed and found acceptable by Balfour Beatty Construction.

Upon City Council authorization to City Staff to issue a Notice of Completion, the City shall file and record the Notice of Completion with the County of Ventura. Following recordation of a Notice of Completion with the County of Ventura, the city shall allow the statutorily required time elapse, following which the City will release final retention to the trade contractor. A full and complete final retention Pay Application package is included as an attachment to this Recommendation.

Should you have any questions, please contact me at any time.

Respectfully,

Dennis Kuykendall
Senior Project Manager, Balfour Beatty Construction

Attachment(s): Reliable Floor Covering, Inc. Pay Application # 08 FINAL

Cc;

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CITY OF MOORPARK
799 Moorpark Avenue
Moorpark, California 93021
Attn: City Clerk

NO FEE REQUIRED PURSUANT TO:
Government Code Sections 6103 and 27383

Space above this line for Recorder's use

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 9204 must be filed on or within 15 days after the date of completion of a work of improvement. Civil Code Section 9200 provides that completion of a work of improvement occurs at the earliest of (a) acceptance of the work of improvement by the public entity or (b) cessation of labor on the work of improvement for a continuous period of 60 days.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is: City of Moorpark
3. The full address of the owner is: 799 Moorpark Avenue, Moorpark California 93021
4. The nature of the interest or estate of the owner is: in fee
   The owner retained a contractor to perform a work of improvement as follows: Flooring and Ceramic Flooring- Ruben Castro Human Services Center
5. The name and address of the contractor, if any, for such work of improvement was: Reliable Floor Covering, Inc., 2304 Townsgate Road, Westlake Village, CA 91361
   The date of the contract was: March 29, 2011
6. The name and address of the surety, if any, was: Developers Surety and Indemnity Company, 17780 Fitch, Suite 200 Irrvine, CA 92614- Bond 350596P
7. The name and address of the construction lender, if any, for such work of improvement was: None
8. The property on which the work of improvement was constructed is in the City of Moorpark, County of Ventura, State of California, and is described as follows: APN: 512-0-171-235 and 245
9. The street address of said property is: 612 Spring Road
10. Date labor ceased on the work of improvement: September 28, 2012
11. The work of improvement was completed on: March 6, 2013

Dated: _____ Signed: _____
Steven Kueny, City Manager, City of Moorpark, 799 Moorpark Ave., Moorpark, California

VERIFICATION

I, the undersigned, say: I am the City Manager of the City of Moorpark. I am authorized to make this verification for and on behalf of the City of Moorpark and I make this verification for that reason. I have read this Notice of Completion and the matters stated in this Notice of Completion are true of my own knowledge. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, 2013, at Moorpark, California.

Signed:_____
Steven Kueny, City Manager, City of Moorpark, 799 Moorpark Avenue, Moorpark, California 93021

Form Issued: February 15, 2013