

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Dave Klotzle, City Engineer/Public Works Director 
Prepared by: Al Gali, Assistant Engineer *ALG*

DATE: June 7, 2013 (CC Meeting of 06/19/13)

SUBJECT: Consider Notice of Completion for the 2012 Pavement Rehabilitation (Project 8002) and Authorization for Release of Project Bonds in Accordance with Contract Provisions

BACKGROUND

On July 18, 2012, the City Council approved the award of a contract for the construction of the 2012 Pavement Rehabilitation (Project 8002) to Manhole Adjusting Inc. The Notice to Proceed for construction was effective on October 8, 2012, with a contract completion date of December 12, 2012. All work was completed by November 28, 2012; however, several areas of slurry seal and striping needed to be repaired. All repairs were completed as of June 4, 2013.

The scope of work for this project included pavement crack sealing and application of one of two types of pavement rehabilitation: a) Type II Slurry only for some streets, and b) an Asphalt Rubber Aggregate Membrane (ARAM) with Type II Slurry top layer on the rest of the streets. Manholes, sewer clean-outs, and water valve covers were adjusted to the new pavement surface. Lastly, all repaved streets were re-striped.

The project design and contract administration was performed by City staff with construction inspection and materials testing provided by a consultant, BTC Labs-Vertical Five.

DISCUSSION

Three contract change orders were approved for the project as summarized in the following table.

Contract Change Orders		
No.	Description of Work	Amount
1	Credit for overtime inspection	(\$5,000.50)
2	Credit for slurry seal wet track abrasion test failure	(\$5,940.90)
3	Additional stop legends, manhole adjustments, and manhole collar repair	\$2,129.00
Total Contract Change Orders - Credit		(\$8,812.40)

Final inspection 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 Project 8002 as complete so that the City Clerk may record the Notice of Completion (attached). If no Stop Notices are received from subcontractors or suppliers, the five percent retention will be released thirty-five (35) days after the date of the recordation of that notice. Additionally, the City Clerk's Office will be authorized to release Project 8002's bonds in accordance with the contract provisions:

- Faithful Performance Bond and Material Suppliers and Laborer Bond No. 9075499 shall be released one year after the date of recordation of the Notice of Completion.

FISCAL IMPACT

Total Project Cost and Funding Source: The total project cost is summarized below.

Description	Budget (\$)	Total Cost(\$)
Design - City Staff	\$ -	\$ -
Construction		
Fund 2606 - HUT 2103	\$ 495,966.00	\$ 462,966.00
Fund 2609 - CalRecycle Grant	\$ 54,000.00	\$ 54,000.00
Fund 2610 - Prop 42 Traffic Congest. Relief	\$ 405,435.00	\$ 339,974.00
Fund 2611 - Prop 1B Streets & Roads	\$ 1,795.00	\$ 1,795.00
Inspection - Fund 2606 - HUT 2103	\$ 50,000.00	\$ 52,141.50
Project Total	\$ 1,007,196.00	\$ 910,876.50
*Reimbursement from VCWWD No.1		\$ (65,808.75)
Total Cost to City		\$ 845,067.75
Amount Under Budget		\$ 162,128.25

*The Ventura County Waterworks District No. 1 (District) will be reimbursing the City \$65,808.75 for the cost to adjust District manholes and water valve covers as a part of this project.

STAFF RECOMMENDATION

Authorize the City Clerk to file the Notice of Completion for the project, and authorize the release of the project bonds as outlined above.

Attachment: Notice of Completion (Manhole Adjusting, Inc.)

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
5. The owner retained a contractor to perform a work of improvement as follows:
2012 Pavement Rehabilitation - ARAM and/or Slurry Seal, utility cover adjustment and striping of various City streets.
The name and address of the contractor, if any, for such work of improvement was:
Manhole Adjusting Inc., 950 Beverly Road, Pico Rivera, CA 90660
The date of the contract was: August 30, 2012
6. The name and address of the surety, if any, was:
Fidelity and Deposit Company of Maryland, 1400 American Lane Tower 1 19th Floor, Schaumburg, IL 60196
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: Various City streets
9. The street address of said property is: None
10. Date labor ceased on the work of improvement: June 4, 2013
11. The work of improvement was completed on: June 4, 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