

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

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

DATE: November 7, 2014 (CC Meeting of 11/19/14)

SUBJECT: Consider Notice of Completion for the SR-23 Soundwalls at Tierra Rejada Road Interchange (Project 8079) and Authorization for Release of Project Bonds in Accordance with Contract Provisions

BACKGROUND

On October 17, 2012, the City Council approved the award of a contract for the construction of the SR-23 Soundwalls at Tierra Rejada Road Interchange (Project 8079) to Peterson-Chase General Engineering Construction, Inc. The Notice to Proceed for construction was effective on January 8, 2013, with a contract completion date of August 19, 2013. Construction was completed by August 19, 2013 and the plant establishment was completed on July 1, 2014.

The scope of work for this project included constructing two fourteen foot high masonry block soundwalls on the west side of State Route 23 at the southbound off-ramp to Tierra Rejada Road. The project also included drainage, lighting, landscaping and irrigation improvements. Project design was performed by Parsons Transportation Group. Contract administration, construction inspection, and materials testing were performed by a consultant, Filippin Engineering, Inc.

DISCUSSION

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

Contract Change Orders		
No.	Description of Work	Amount
1	Install three (3) ramp safety light poles behind the wall rather than mounted on the concrete barrier.	\$6,778.75
2	Extra work paid on a Time and Materials basis including: <ul style="list-style-type: none"> • Relocation of four existing electrical pull boxes. • Additional shoulder paving and striping required by Caltrans. • Extension of irrigation mainline to point of connection. 	\$22,723.48
3	Extra work related to drilling 48 CIDH piles through rock material and paid on a Time and Materials basis.	\$17,212.02
4	Cost adjustment due to differences in Bid Quantities and Actual Quantities.	(\$13,217.87)
Total Contract Change Orders		\$33,496.38

Final inspection by the City and Caltrans has been completed, and the work has been found to be acceptable by both agencies. At this time it would be appropriate for the City Council to accept Project 8079 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 the Project 8079 bonds in accordance with the contract provisions as follows:

- Material Suppliers and Laborer Payment Bond No. 1356361 shall be released one (1) year after the date of recordation of the Notice of Completion.
- Faithful Performance Bond No. 1356361 shall be null and void one (1) year after the date of recordation of the Notice of Completion.

FISCAL IMPACT

The total project costs are summarized below.

Description	Budget (\$)	Total Cost(\$)
Construction		
Fund 2002 - Traffic Mitigation	\$ 1,522,145.45	\$ 1,515,706.33
Inspection & Testing - Filippin Engineering, Inc.	\$ 228,500.00	\$ 228,490.09
Project Total	\$ 1,750,645.45	\$ 1,744,196.42
Amount Under Budget		\$ 6,449.03

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 (Peterson-Chase General Engineering Const. 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:
SR-23 Soundwalls at Tierra Rejada Road Interchange MPK 12-01
The name and address of the contractor, if any, for such work of improvement was:
Peterson-Chase General Engineering Construction, Inc. 1792 Kaiser Ave, Irvine, CA 92614
The date of the contract was: November 21, 2012
6. The name and address of the surety, if any, was:
Great American Insurance Company 301 E 4th St, Cincinnati OH 45202
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: SR-23/Tierra Rejada Road Interchange
9. The street address of said property is: None
10. Date labor ceased on the work of improvement: July 1, 2014
11. The work of improvement was completed on: July 1, 2014

Dated: _____ Signed: _____
Steven Kueny, City Manager, City of Moorpark
799 Moorpark Ave., Moorpark, California 93021

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 _____, 2014, at Moorpark, California.

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