



CITY COUNCIL AGENDA REPORT

MEETING DATE: NOVEMBER 3, 2009

ITEM NUMBER:

SUBJECT: FAIRVIEW ROAD/ADAMS AVENUE INTERSECTION IMPROVEMENT – CITY PROJECT NO. 08-13

DATE: OCTOBER 22, 2009

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: PETER NAGHAVI, DIRECTOR, DEPARTMENT OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUÑOZ, CITY ENGINEER, (714) 754-5335

RECOMMENDATION:

1. Accept the work performed by California Engineering & Contracting, Inc., and authorize the City Clerk to file the Notice of Completion.
2. Release the Labor and Material Bond seven (7) months after the filing date; release the Faithful Performance Bond one year after the filing date; and release the remaining retention monies 35 days after the Notice of Completion filing date, less any withholding required to satisfy any outstanding Stop Notices.

BACKGROUND:

On November 18, 2008, a construction contract in the amount of \$189,795.00 was awarded to California Engineering & Contracting, Inc., 16027 Brookhurst Street, Suite G-240, Fountain Valley, California, 92708 (base bid plus all additive bid items). With this contract the traffic signal and the intersection alignment at Fairview Road and Adams Avenue was modified and a free right turn lane from southbound Fairview Road to westbound Adams Avenue was constructed.



During Construction



Improvement Completed

ANALYSIS:

The majority of the work as required by the contract documents was completed on October 9, 2009 with exception of the purchase and installation of a battery back-up unit to power the traffic signal controller in the event of a power outage. Due to the inability of the contractor to complete this item of work, the City will purchase and install the battery back-up unit with all costs deducted from monies due to California Engineering & Contracting, Inc. The final contract cost amounted to \$201,000. A report of the final costs is shown herein as "Attachment 1."

A summary of the costs is as follows:

Original Contract Cost:	\$189,795.00
Change Order No. 1:	\$ 5,000.00
Change Order No. 2:	<u>\$ 6,205.00</u>
Final Contract Cost:	\$201,000.00

Change Order No. 1 in the amount of \$5,000 was to remove a portion of the Closed Circuit Television (CCTV) camera pole in order to comply with Southern California Edison's high voltage line clearance requirements and to delete the stripping portion of the work from the contract.

Change Order No. 2 in the amount of \$6,205 compensates the contractor for increased fiber optic cable quantities and for the inclusion of fiber optic work at the Fairview Road/I-405 Freeway overcrossing and the intersection of Fairview Road and Baker Street.

There were eight (8) Stop Notices filed against the monies due to California Engineering & Contracting, Inc. Four (4) of the Stop Notices filed have been released. However, there are still four (4) Stop Notices pending resolution. The total amount withheld to satisfy these remaining Stop Notices is \$16,278.01. After the Notice of Completion is filed and the 35 day time period has expired, the final distribution of the retention monies will be in accordance with Section 3186 of the California Civil Code, as it pertains to the outstanding Stop Notices.

ALTERNATIVES CONSIDERED:

There were no alternatives considered for this item.

FISCAL REVIEW:

There is no fiscal impact due to this item.

LEGAL REVIEW:

There is no legal review required on this item.

CONCLUSION:

The intersection improvement at Fairview Road and Adams Avenue has been completed. It is recommended that the City Council authorize staff to file the Notice of Completion; release the remaining retention monies 35 days after the Notice of Completion filing date (less any withholding required to satisfy any outstanding Stop Notices); and release the bonds accordingly.

ERNESTO MUÑOZ
City Engineer

PETER NAGHAVI, Director
Department of Public Services

ATTACHMENT: "1" [Payment Summary](#)

DISTRIBUTION: City Manager
City Attorney
City Clerk
Staff
File