

## STAFF REPORT

**Date:** Tuesday, December 8, 2015  
**To:** Bryan H. Montgomery, City Manager  
**From:** Kevin Rohani, Public Works Director/City Engineer  
**SUBJECT:** Acceptance of work associated with CIP Project No. 171 – FY 2015/16 Storm Drain Improvement Project

Approved and Forwarded to City Council:

  
Bryan H. Montgomery, City Manager

### Introduction

The City's adopted FY 2015/16 Capital Improvement Program (CIP) Budget designates funding for various infrastructure repair and replacement projects. This is consistent with the City's goals to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

### Background and Analysis

The City's CIP included Project Number 171 - FY 2015/16 Storm Drain Improvement Project. CIP No. 171 included the construction of storm drain inlets and a pipe system on West Bolton Road to address a chronic flooding problem that residents have been facing each year. West Bolton Road is one of the older streets in the community and has not had any public improvements for many years. The construction of this storm drain improvement project was successfully completed in October 2015.

### Summary

The flooding problems on West Bolton Road have been a concern for the community for a number of years. With the CIP program being more focused on addressing outstanding infrastructure problem areas, this project was designed and constructed to help the residents of this part of the community. In addition to the local residents who benefit from this project, many parents and students who walk to Gehring Elementary School and use West Bolton Road as their access route, benefit from a safe road that they can now walk to school even during the rainy season.

### Fiscal Impact

This project was completed on time and under the authorized budget of \$50,000.

Pursuant to the contract documents, 5% of the accrued costs were withheld from the amount paid to the contractor. These funds are called "retention", and are held until the end of the project to ensure that the contractor completes the project in a timely manner. Approval of this item will authorize the release of the retention payment to the contractor. The retention was already budgeted as part of the contract and

change order approvals, so there is no additional fiscal impact associated with this action.

**Recommendation**

Staff recommends that the City Council Adopt the Resolution accepting CIP Project No. 171 – FY 2015/16 Storm Drain Improvement Project as constructed by McFadden Construction Inc. to be complete, and to direct the City Clerk to file a Notice of Completion for the project with the County Recorder.

**Attachments**

- 1) Resolution
- 2) Notice of Completion

**RESOLUTION NO. \_\_-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING AS COMPLETE THE WORK PERFORMED BY MCFADDEN CONSTRUCTION INC. FOR THE CONSTRUCTION OF CIP PROJECT NO. 171 – FY 2015/16 STORM DRAIN IMPROVEMENT PROJECT**

**WHEREAS**, City staff, prepared plans, special provisions, and cost estimates related to CIP Project No. 171 – FY 2015/16 Storm Drain Improvement Project; and

**WHEREAS**, on September 22, 2015, by adopting Resolution No. 114-15, the City Council awarded a construction contract to McFadden Construction Inc. for the construction of CIP No. 171 – FY 2015/16 Storm Darin Improvement Project; and

**WHEREAS**, McFadden Construction Inc. has satisfied the contractual requirements necessary for the acceptance of CIP No. 171 as complete.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley that CIP Project No. 171 – FY 2015/16 Storm Drain Improvement Project is hereby accepted as complete.

**BE IT FURTHER RESOLVED AND ORDERED**, that the City Clerk is hereby directed to file a Notice of Completion for CIP No. 171 with the County Recorder.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the 8<sup>th</sup> of December, 2015 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
, Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

PURSUANT TO GOVERNMENT  
CODE §6103 NO FEE IS REQUIRED  
FOR THE RECORDATION OF THIS  
DOCUMENT

**WHEN RECORDED MAIL TO:**

City Clerk  
City Of Oakley  
3231 Main Street  
Oakley, Ca 94561

**RECORDING REQUESTED BY:**

City Of Oakley  
3231 Main Street  
Oakley, Ca 94561

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**NOTICE OF COMPLETION**

**CIP 171 – FY 2015/16 Storm Drain Improvement Project**

NOTICE IS HEREBY GIVEN THAT:

The CITY OF OAKLEY, a political subdivision of the State of California, did, on September 22, 2015, enter into an agreement with McFadden Construction Inc. for construction of Capital Improvement Program Project Number 171 – FY 2015/16 Storm Drain Improvement Project located on W. Bolton Road in Oakley.

The work described in the contract documents was to furnish all material, labor, and equipment necessary to complete CIP No. 171 – FY 2015/16 Storm Drain Improvement Project.

On December 8, 2015, said contract, as a whole was completed and the work was accepted by the City Council of the City of Oakley.

I hereby certify under penalty of perjury that the facts set forth in the foregoing Notice of Completion are true and correct.

Executed at Oakley, Contra Costa County, State of California, on December 8, 2015.

By: \_\_\_\_\_  
Libby Vreonis, City Clerk  
City of Oakley, California