

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. 153 – FY 2014/15
Curb, Gutter, and Sidewalk Replacement Project

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Introduction

The City's adopted FY 2014/15 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 Oakley residents.

Background and Analysis

The City's CIP included Project Number 153 - FY 2014/15 Curb, Gutter, and Sidewalk Repair and Replacement Project. CIP No. 153 included the replacing of damaged and uplifted curb, gutter, and sidewalk that had been identified as a trip and fall hazard. The trip and fall hazard concern is due to overgrowth of tree roots that have gotten under the curbs and sidewalks, and in some extreme cases even under street pavement.

The City Council had approved a 50-50 cost share program to help property owners with cases of uplifted sidewalks. This new program has made the replacement of damaged curbs and sidewalks as simplified as possible for property owners, as the City is responsible for the design and management of the construction of the project. At the end of project, the property owners pay half the actual cost of the construction for the damaged concrete along their property, instead of being responsible for the whole cost and management of the repairs.

The FY 2014/15 Curb, Gutter, and Sidewalk Repair and Replacement Project incorporated many sites where the property owners had signed up for the 50-50 cost share program. This project, in its first year was very successful, and eliminated a number of trip and fall problem areas. This project was successfully completed in November 2015.

Summary

The FY 2014/15 Curb, Gutter, and Sidewalk Repair and Replacement Project was the first year such project has been implemented in the City of Oakley and helped in addressing a chronic problem with tree root overgrowth, which had uplifted curbs,

and sidewalks. The residents who participated in the program received a great value and the project helped in reducing the exposure to liability for the City as result of trip and fall incidents. The goal will be to build on the success of this project in upcoming years, and have an even bigger participation by residents to help reduce the trip and fall incidents in the community.

Fiscal Impact

This project was completed on time and under the authorized budget of \$125,000.

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. 153 – FY 2014/15 Curb, Gutter, and Sidewalk Replacement Project as constructed by Wayne E. Swisher Cement Contractor 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 WAYNE E. SWISHER CEMENT CONTRACTOR INC. FOR THE CONSTRUCTION OF CIP PROJECT NO. 153 – FY 2014/15 CURB, GUTTER, SIDEWALK REPLACEMENT PROJECT

WHEREAS, City staff, prepared plans, special provisions, and cost estimates related to CIP Project No. 153 – FY 2014/15 Curb, Gutter, Sidewalk Replacement Project; and

WHEREAS, on June 9, 2015, by adopting Resolution No. 78-15, the City Council awarded a construction contract to Wayne E. Swisher Cement Contractor Inc. for the construction of CIP No. 153 – FY 2014/15 Curb, Gutter, Sidewalk Replacement Project; and

WHEREAS, Wayne E. Swisher Cement Contractor Inc. has satisfied the contractual requirements necessary for the acceptance of CIP No. 153 as complete.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley that CIP Project No. 153 – FY 2014/15 Curb, Gutter, Sidewalk Replacement 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. 153 with the County Recorder.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 8th 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 153 – FY 2014/15 Curb, Gutter, Sidewalk Replacement Project

NOTICE IS HEREBY GIVEN THAT:

The CITY OF OAKLEY, a political subdivision of the State of California, did, on June 9, 2015, enter into an agreement with Wayne E. Swisher Cement Contractor Inc. for construction of Capital Improvement Program Project Number 153 – FY 2014/15 Curb, Gutter, Sidewalk replacement Project.

The work described in the contract documents was to furnish all material, labor, and equipment necessary to complete CIP No. 153 – FY 2014/15 Curb, Gutter, and Sidewalk Replacement Project in various locations in Oakley.

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