



Item No. 18 Town of Atherton

CITY COUNCIL STAFF REPORT - CONSENT AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

THROUGH: ROBERT OVADIA, PUBLIC WORKS DIRECTOR

**FROM: NADIA BOSAN, INTERWEST CONSULTING GROUP PROJECT
MANAGER**

DATE: SEPTEMBER 19, 2018

**SUBJECT: ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE
OF COMPLETION FOR THE SERIES CIRCUIT STREET LIGHT
REPLACEMENT PROGRAM PROJECT, PROJECT 56080**

RECOMMENDATION

Accept work and authorize recording of a Notice of Completion for the Series Circuit Street Light Replacement Program Project, Project Number 56080.

BACKGROUND

The Council awarded a construction contract on June 21, 2017, to Nema Construction (Nema) for \$707,223 and authorized change orders up to \$35,000 for a total amount of \$742,223. The project consisted of installation of streetlight conduits and conductors to convert series streetlight circuits to parallel circuits, replacing high-pressure sodium lights with new LED fixtures, and painting existing streetlight poles. Work under the contract has been completed.

Staff encountered additional unforeseen issues when the contractor stated that it was not feasible to reuse existing conduit at Burns Avenue, which were initially proposed by W-Trans in the original plans. Nema provided a change order of \$106,920 for installation of new conduit for Burns. Staff directed the contractor to complete De Bell, Greenoaks and Lloyd Park, and to stop work on Burns Avenue.

ANALYSIS

The original contract price was for \$707,223. Once construction began, unforeseen field conditions were encountered that needed to be addressed with the Project. This resulted in a series of contract change orders that either extended bid item quantities, or were negotiated with

the contractor. It was also determined that due to design issues, work at Burns Avenue was eliminated from the project scope.

The construction contract provided 75 working days for construction. Work under the contract was substantially completed on March 15, 2018, resulting in a delay of 60 working days. Working day statements were documented and letters and an agreement was reached to use the contract liquidated damages as credits towards the various contract change orders. The first letter for 25 days of liquidated damages was signed on January 22, 2018 to be applied toward Contract Change Order #3, in the amount of \$17,500. A second letter was signed on June 4, 2018 for the remaining 35 days to be applied toward Contract Change Order #4, in the amount of \$24,500. The total credit for the construction delays was \$42,000.

There were five contract change orders (CCO) with a net total of \$16,780 bringing the total contract to \$724,003.

The contract changes were as follows:

Original Contract		\$ 707,223
CCO#1 – Paxio Work for Joint Trench		\$ 0
CCO#2 – Additional Belleau and Greenoaks lights		\$ 8,000
CCO#3 – Additional Greenoaks and De Bell Conduit		\$ 10,400
CCO#4 – Final Adjustments for Lloyd Park, De Bell, Greenoaks		\$ 161
CCO#5 – Burns Avenue Removal		\$ (-1,781)
	<hr/>	
	TOTAL	\$ 724,003

POLICY ISSUES

The Town's street light facilities include several areas that are energized using series circuitry, which is difficult and costly to repair. When these circuits are damaged, repairs require extensive investigation and coordination around the high voltage circuitry required to power the lights. Replacement or refurbishment of these existing light facilities was identified as a critical public infrastructure need. The Series Street Light Replacement Program is consistent with the Town's goal of making the street lights safer and more reliable.

FISCAL IMPACT

This project encompassed CIP Budgets in FY 2015/16, FY 2016/17. The overall project budget was originally set at \$1,150,000 and some preliminary costs, in the amount of \$23,000 were incurred in FY 2015/16. However, with the adoption of the FY 2016/17 CIP Budget, the

available project budget was reduced to \$860,000, including \$120,000 in County Measure A funds and \$633,000 from Special Parcel Tax funds.

The estimated total project cost including design, construction, construction administration and project management is \$840,000.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the item is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item ____ has or X has not been before a Town Committee or Commission.

- ____ Audit/Finance Committee (meets every other month)
- ____ Bicycle/Pedestrian Committee (meets as needed)
- ____ Civic Center Advisory Committee (meets as needed)
- ____ Environmental Programs Committee (meets every other month)
- ____ Park and Recreation Committee (meets each month)
- ____ Planning Commission (meets each month)
- ____ Rail Committee (meets every other month)
- ____ Transportation Committee (meets every other month)

ATTACHMENTS

Attachment A - Notice of Completion

RECORD REQUESTED BY:

TOWN OF ATHERTON
AND WHEN RECORDED MAIL TO:

CITY CLERK, TOWN OF ATHERTON

91 ASHFIELD ROAD
(Street Address)
ATHERTON, CALIFORNIA 94027
(City, State and Zip Code)

No fee pursuant to Government Code Section 6103

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TOWN OF ATHERTON
NOTICE OF COMPLETION

SERIES CIRCUIT STREET LIGHT REPLACEMENT PROGRAM PROJECT
PROJECT NO. 56080
ATHERTON, CALIFORNIA

NOTICE IS HEREBY GIVEN THAT Robert Ovadia, Director of Public Works for the Town of Atherton, County of San Mateo, California, on the 19th day of September, 2018 did file with the City Clerk of said Town a Certificate of Completion for the work described in the construction contract awarded to Nema Construction on the 21st day of June, 2017, said contract being executed on the 14th day of August, 2017.

That said work and improvements were accepted as completed on the 15th day of March, 2018 and that acceptance for completion of said work was ordered by Motion of the City Council of said Town, adopted on the 19th day of September, 2018, and that the name of the surety on the Contractor's bond for performance, labor and materials on said project is Merchants Bonding Company (Mutual), Des Moines, IA.

Coordinating with PG&E to disconnect existing series circuit power and connect 120V power, remove and dispose of existing street light fixtures, paint existing electroliers, furnish and install new LED streetlight fixtures, install conduit and conductors, miscellaneous connectors as needed to form a fully functional lighting system, as more particularly described in the plans and specification approved by the City Council of the Town of Atherton pursuant to Motion, adopted the 19th day of April, 2017.

That I, Robert Ovadia, Director of Public Works of the Town of Atherton, am authorized by said Motion to execute and file this notice with the County Recorder of the County of San Mateo.

BY: _____
Director of Public Works

ATTEST: _____
City Clerk

Date

Date

'I declare under penalty of perjury that the foregoing is true and correct.'

Atherton, CA
(Date and Place) (Signature)

**TOWN OF ATHERTON
CERTIFICATE OF COMPLETION**

PROJECT NAME: SERIES CIRCUIT STREET LIGHT REPLACEMENT
PROGRAM PROJECT
PROJECT NUMBER: 56080
LOCATION: 5 VARIOUS LOCATIONS IN ATHERTON

NOTICE IS HEREBY GIVEN:

1. That on September 19th, 2018, the Public Works project known as Series Circuit Street Light Replacement Program Project Number 56080 was completed in accordance with the plans and specifications as required by the Town of Atherton.

2. That the name and address of the party filling this notice is:
Town of Atherton
91 Ashfield Road
Atherton, California 94027.

3. That the name and address of the Contractor responsible for the construction of the project is:
Nema Construction
555 Pierce Street #1005
Albany, CA 94706

4. That the name and address of the Contractor's surety is:
Merchants Bonding Company (Mutual) Bond #CAC714930
P.O. Box 14498
Des Moines, IA 50306

5. That the project is described as:
Coordinating with PG&E to disconnect existing series circuit power and connect 120V power, remove and dispose of existing street light fixtures, paint existing electroliers, furnish and install new LED streetlight fixtures, install conduit and conductors, miscellaneous connectors as needed to form a fully functional lighting system, as more particularly described in the plans and specification approved by the City Council of the Town of Atherton pursuant to Motion, adopted the 19th day of April, 2017.

BY: _____
Robert Ovadia, P.E. **Date**
Director of Public Works

ATTEST: _____
Theresa Della Santa **Date**
City Clerk