



Legislation Text

File #: 17-0249, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Stephanie Katsouleas, Public Works Director

Prem Kumar, City Engineer

Ish Medrano, Engineering Technician II

SUBJECT:

Formally Accept as Complete the Pier Bollard Replacement Project Constructed by Excel Paving Company; Authorize Filing a Notice of Completion with the County Recorder; and Release the Retention in the Amount of \$8,497.45 (Public Works Director Katsouleas).

APPROVE

RECOMMENDATION:

Staff recommends that the City Council:

1. Formally accept as complete the Pier Bollard Replacement Project constructed by Excel Paving Company;
2. Authorize Filing of the appropriate Notice of Completion with the County Recorder's Office; and
3. Approve the release of the retention for \$8,496.96 to Excel Paving Company.

FISCAL IMPLICATIONS:

The original construction contract award amount was \$144,949 with a construction contingency of \$28,990 for a total construction budget of \$173,939. The final construction contract work plus change orders was completed at a final cost of \$169,939.26, leaving a balance of \$3,999.74.

BACKGROUND:

On February 21, 2017 City Council authorized the City Manager to award a construction contract in the amount of \$144,949 with an authorized construction contingency of \$28,990 to Excel Paving Company. The project included installing both decorative and crash rated bollards at the head of the pier in order to protect pedestrians and cyclist from potentially errant cars on Manhattan Beach Boulevard.

DISCUSSION:

Construction started on April 10, 2017 and was completed on May 25, 2017. There were a total of 3 change orders for a total cost of \$29,990.26 approved during construction, which included:

1. Reimbursement of the contractor's cost for an L.A. County Encroachment Permit for \$1,650.
2. Relocation cost for conflicting electrical conduit relocation by the subcontractor CLE for \$21,406.
3. Additional excavation for electrical conduit by Excel Paving Company in the amount of \$6,934.26.

Consequently, it was necessary to utilize the construction contingency approved for this project. The change order costs were somewhat offset by a reduction in other bid item quantities, leaving a balance of \$3,999.74 in the construction budget.

The Contractor has completed all contract work and is now requesting formal acceptance of the project. The five percent (5%) retention amount of \$8,496.96 will be released 35 days after recordation of the Notice of Completion with the County Recorder. All work inspected by the Public Works Department has been found to be in conformance with the plans and specifications and of good quality.

POLICY ALTERNATIVES:

Do not accept the construction contract to for the Pier Bollards Replacement Project as complete and authorize filing of the Notice of Completion and release of retention.

PROS:

Funds would not be expended because the retention amount would not be released. However, this would be inconsistent with the provisions of the executed contract that the Contractor must be fully paid for the work completed.

CONS:

The Contractor may be entitled to contract dispute claims resulting in additional costs incurred by the City.

PUBLIC OUTREACH/INTEREST:

The work was coordinated and scheduled to minimize impact to the Pier lower parking lots and accessibility to the Bike Path and Pier.

ENVIRONMENTAL REVIEW

The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA). Per the CEQA Guidelines, the event is exempt pursuant to the following provision: Section 15304 (e), "Minor Alterations to Land". No permanent environmental effects were present, thus, no further environmental review was necessary.

LEGAL REVIEW

No legal review is necessary.