

*STAFF REPORT**CITY OF OCEANSIDE*

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DATE: April 4, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **ACCEPTANCE OF THE VISTA DEL REY PROPERTY GRADING PROJECT AND AUTHORIZATION FOR THE CITY CLERK TO FILE A NOTICE OF COMPLETION**

**SYNOPSIS**

Staff recommends that the City Council accept the improvements constructed by Western Rim Constructors, Inc., for the Vista Del Rey Property Grading project located west of Benet Road and south of the San Luis Rey River, and authorize the City Clerk to file a Notice of Completion with the San Diego County Recorder.

**BACKGROUND**

On September 13, 2006, the City Council awarded a contract in the amount of \$287,084 to Western Rim Constructors, Inc., of Escondido for the Vista Del Rey Property Grading project located west of Benet Road and south of the San Luis Rey River. The City needed to acquire a portion of the Deutsch Company's property for the San Luis Rey River Flood Control project. As part of the consideration for the Flood Control project's use of the Vista Del Rey property, the City agreed to design and grade the remainder of the property owned by Deutsch. The agreement also required the Deutsch Company to perform some of the activities associated with the grading of the Vista Del Rey property, including the import and placement of the fill material. This project has fulfilled the City's obligation under the agreement.

**ANALYSIS**

The improvements included drainage improvements, imported fill, grading, and hydroseed.

**FISCAL IMPACT**

On September 13, 2006, the City Council approved a budget appropriation in the amount of \$224,274 from the General Fund Unallocated Fund Balance to the CIP project account (501.815157). Deutsch Company was to contribute \$143,810 to the

project for a total budget of \$368,084. As of the date of this report, the City has not received payment. The project costs are:

Construction Contract Amount	\$287,084
Geotechnical Services	38,000
Inspection, Project Management and Administration	40,000

Change Order 1 in the amount of \$888.59 brought the construction cost to \$287,972.59. The total project cost is \$365,972.59.

The Deutsch Company's share for providing the fill materials is \$143,810. The City submitted a bill to the Deutsch Company in January 2007 and is awaiting payment. To date, the Deutsch Company has not remitted payment and further collection efforts will be coordinated through the City Attorney's Office.

**COMMISSION OR COMMITTEE REPORT**

Does not apply.

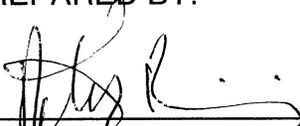
**CITY ATTORNEY'S ANALYSIS**

Does not apply.

**RECOMMENDATION**

Staff recommends that the City Council accept the improvements constructed by Western Rim Constructors, Inc., for the Vista Del Rey Property Grading project located west of Benet Road and south of the San Luis Rey River, and authorize the City Clerk to file a Notice of Completion with the San Diego County Recorder.

PREPARED BY:

  
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Peter Biniáz  
Project Manager

SUBMITTED BY:

  
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Peter A. Weiss  
Interim City Manager

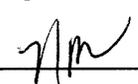
REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Joseph Arranaga, Acting Deputy Public Works Director

Scott O. Smith, Acting City Engineer

Nita McKay, Financial Services Director

  
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