

# STAFF REPORT



ITEM NO. 14  
CITY OF OCEANSIDE

DATE: March 13, 2013  
TO: Honorable Mayor and City Councilmembers  
FROM: Development Services Department  
SUBJECT: **ACCEPTANCE OF THE CITYWIDE SIDEWALK REPAIR PROJECT  
FY 2011-12 AND AUTHORIZATION FOR THE CITY CLERK TO FILE A  
NOTICE OF COMPLETION**

## **SYNOPSIS**

Staff recommends that the City Council accept the improvements constructed by Tri-Group Construction and Development, Inc., of San Diego for the Citywide Sidewalk Repair FY 2011-12 project, and authorize the City Clerk to file a Notice of Completion with the San Diego County Recorder.

## **BACKGROUND**

On August 17, 2011, the City Council approved the plans and specifications for the Citywide Sidewalk Repair FY 2011-12 project and authorized a call for bids.

On October 26, 2011, the City Council approved the award of a contract in the amount of \$300,498 to Tri-Group Construction and Development, Inc., of San Diego for the Citywide Sidewalk Repair FY 2011-12.

On April 17, 2012, Construction Change Order 1 for a credit of \$13,898 was administratively approved.

On June 20, 2012, the contractor was substantially completed with the project. At that time, the contractor notified the City that they would file a claim against the City for additional compensation and did not submit a final invoice. Staff determined that the contractor did not warrant additional compensation. On December 14, 2012, the contractor submitted the final invoice and declined to file a claim against the City.

## **ANALYSIS**

The contractor is paid the "per square foot" or "per lineal foot" bid price times the actual field measurements of the work completed. Below are the quantities of work accomplished:

| <u>Item of Work</u> | <u>Final Quantity</u> |
|---------------------|-----------------------|
| Sidewalk            | 34,172 SF             |
| Curb & Gutter       | 1,464 LF              |
| Driveway Approach   | 3,779 SF              |
| Pedestrian Ramp     | 8 EA                  |

The final payment to the contractor is based on the actual quantity of work completed.

**FISCAL IMPACT**

The construction cost for the Citywide Sidewalk Repair FY 2011-12 Project (425425212) was \$ 358,250. Breakdown of the project cost is as follows:

|   |                  |
|---|------------------|
| Construction Contract   | \$300,498        |
| Change Order 1  | (\$13,898)       |
| Administration, construction management, engineering, inspections | \$71,650         |
| <u>Total Construction Cost</u>                                    | <u>\$358,250</u> |

The funding source is TransNet Fund 212; sufficient funds are available.

**INSURANCE REQUIREMENTS**

The City's standard insurance requirements have been met and are currently in effect.

**COMMISSION OR COMMITTEE REPORT**

Does not apply.

**CITY ATTORNEY'S ANALYSIS**

The referenced documents have been reviewed by the City Attorney and approved as to form.

**RECOMMENDATION**

Staff recommends that the City Council accept the improvements constructed by Tri-Group Construction and Development, Inc., of San Diego for the Citywide Sidewalk Repair FY 2011-12 project, and authorize the City Clerk to file a Notice of Completion with the San Diego County Recorder.

PREPARED BY:

Abraham Chen  
Abraham Chen  
Associate Engineer

SUBMITTED BY:

Peter A. Weiss  
Peter A. Weiss  
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager  
George Buell, Development Services Director  
Scott Smith, City Engineer  
Teri Ferro, Financial Services Director

MS  
GB  
SS  
TF