

REPORT TO CITY COUNCIL

DATE: JANUARY 27, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: JESSICA FORTE, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

SUBJECT: ADOPTION OF RESOLUTION NO. 21-1965; RATIFYING ADDITIONAL WORK COMPLETED AS PART OF THE FISCAL YEAR 2020-21 ANNUAL CONCRETE REPAIR PROJECT; NIB 18-05(3) AND APPROVAL OF THE NOTICE OF COMPLETION

For the past three (3) years, the City has contracted with FS Construction, Inc., to repair damaged concrete throughout the City. This fiscal year's work included the following:

- Removing and replacing 4,873 square feet of sidewalk
- Repairing 81 linear feet of curb and gutter
- Grinding 271 linear feet of sidewalk lifts
- Repairing three (3) concrete patches

This fiscal year, work began in early October and was completed in early December. During the project, staff was contacted by a resident who expressed concerns regarding damaged sidewalk in front of her property. Upon inspection, the lifted sidewalk panels and damaged curb were a result of tree roots, belonging to a City-owned tree, located in the parkway. Due to the extent of damage and close proximity to Lindero Middle School, staff felt it was in the City's best interest to perform this work while students remained at home due to COVID-19. As a result of this work, the revised total project cost of \$81,269.25 exceeded the funds appropriated in the Fiscal Year 2020-21 Budget. However, there are sufficient funds in the Public Works maintenance budget to account for the extra work. As such, staff is requesting to transfer \$5,722.25 of Measure M (Local Return) Funds to the project budget with no additional funding being requested.

In addition, this report seeks City Council to adopt Resolution No. 21-1965 ratifying the additional work, authorize the City Manager to execute a contract amendment to memorialize the additional work, and to authorize the City Engineer and City Clerk to execute and submit a Notice of Completion for the work performed by FS Constructors Inc., in association with this year's Annual Concrete Repair Program.

The work was performed to the satisfaction of staff and is expected to serve the community well for many years to come.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Adopt Resolution No. 21-1965; ratifying additional work completed as part of the for the Fiscal Year 2020-21 Annual Concrete Repair Project; NIB 18-05(3);
2. Transfer \$5,722.25 of Measure M (Local Return) Funds Fiscal Year from the Public Works maintenance budget to the 2020-21 Annual Concrete Repair Project; NIB 18-05(3); for an amended budget of \$81,269.25;
3. Authorize the City Manager to execute a contract amendment for the additional work performed;
4. Approve, and accept as complete, the work of FS Contractors, Inc., for the Fiscal Year 2020-21 Annual Concrete Repair Project; NIB 18-05(3); and
5. Authorize the Director of Public Works/City Engineer to sign the Notice of Completion for the project, and authorize the City Clerk to forward the Notice of Completion to the County Recorder for recordation.

Attachments: 1) Resolution No. 21-1965
2) Notice of Completion

RESOLUTION NO. 21-1965

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, RATIFYING ADDITIONAL WORK COMPLETED TO PROVIDE CONCRETE REPAIR AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT TO FS CONTRACTORS, INC. TO MEMORIALIZE ADDITIONAL WORK ASSOCIATED WITH CONCRETE REPAIR

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS, AS FOLLOWS:

WHEREAS, the City of Agoura Hills (City) performs an annual concrete sidewalk repair project with identified concrete repair locations; and

WHEREAS, the City and FS Contractors, Inc. entered into an Agreement for Contractor Services for concrete repairs for an amount not to exceed \$75,547; and

WHEREAS, during construction additional concrete sidewalk locations required repairs and FS Contractors, Inc. was provided a notice to proceed for additional concrete repairs to keep the project moving to completed construction; and

WHEREAS, a final amendment to the FS Contractors, Inc. Agreement for Contractor Services to memorialize the additional costs in the amount of \$5,722.25 is necessary; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The City Council of the City of Agoura Hills, California, hereby adopts Resolution 21-2165, ratifying additional work completed for the annual concrete repair project and authorizing the City Manager to execute a contract amendment to memorialize additional work (in the amount of \$5,722.25) associated with roadway crack treatment to the Agreement for Contractor Services with FS Contractors, Inc. for a new not-to-exceed contract amount of \$81,269.25.

PASSED, APPROVED, AND ADOPTED this 27th day of January, 2021, by the following vote to wit:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAIN: ()

Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

NAME CITY OF AGOURA HILLS
STREET ADDRESS 30001 Ladyface Court
CITY, STATE, ZIP Agoura Hills, CA 91301

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. (See reverse side for Complete requirements.) Notice is hereby given that:

- 1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
- 2. The full name of the owner is City of Agoura Hills
- 3. The full address of the owner is 30001 Ladyface Court, CA 91301
- 4. The nature of the interest or estate of the owner is: In fee.

(IF OTHER THAN FEE, STRIKE "IN FEE" AND INSERT, FOR EXAMPLE, "PURCHASER UNDER CONTRACT OF PURCHASE, OR "LESSEE")

- 5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:
- | NAMES | ADDRESSES |
|-------|-----------|
| | |
| | |

- 6. The full names and full addresses of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work or improvements herein referred to:
- | NAMES | ADDRESSES |
|-------|-----------|
| | |
| | |

- 7. A work of improvement on the property hereinafter described was completed on December 4, 2020 The work done was:
Fiscal Year 2020-21 Annual Concrete Repair Project; NIB 18-05(3)

- 8. The name of the contractor, if any, for such work of improvement was FS Contractors, Inc.
- (IF NO CONTRACTOR FOR WORK OF IMPROVEMENT AS A WHOLE, INSERT "NONE") (DATE OF CONTRACT)

- 9. The property on which said work of improvement was completed is in the City of Agoura Hills, County of Los Angeles, California and described as follows:
Various locations within the City of Agoura Hills

- 10. The street address of said property is Various locations throughout the City of Agoura Hills
(IF NO STREET ADDRESS HAS BEEN OFFICIALLY ASSIGNED, INSERT "NONE".)

Dated: _____ Kimberly M. Rodrigues, MMC
City Clerk (SIGNATURE OF OWNER OR CORPORATE OFFICER OF OWNER NAMED IN PARAGRAPH 2 OR HIS AGENT)

VERIFICATION

I, the undersigned, say: I am the City Engineer, the declarant of the foregoing notice of completion;
(PRESIDENT OF, "MANAGER OF", "PARTNER OF", "OWNER OF", ETC.)

I have read said notice of completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 27, 2021 at Agoura Hills, County of Los Angeles, California
(Date) (City, County, & State)

Jessica Forte, P.E.

(Personal signature of the individual who is swearing that the contents of the Notice of Completion is true.)