

ITEM 4.16

CITY MANAGER'S REPORT SEPTEMBER 11, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY AMERINE SYSTEMS, INC. FOR CITY HALL LANDSCAPE RENOVATIONS, CIP GG 21-09**

RECOMMENDATION: **Adopt Resolution to Accept Public Improvements Constructed by Amerine Systems, Inc. for the City Hall Landscape Renovation, CIP GG 21-09, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds**

SUMMARY:

Amerine Landscape, Inc. (Amerine) has completed the construction of the City Hall Landscape Renovation, CIP GG 21-09 (Project). Staff inspected the improvements and they have been deemed complete and in accordance with the approved plans and specifications by the City Engineer.

Amerine has submitted lien releases confirming all sub-contractors and suppliers have been paid in full and provided a one-year warranty bond (based on 10% of the construction contract) for the improvements to be accepted.

Staff requests City Council accept the completed improvements constructed by Amerine for the Project. Staff also requests City Council authorize the filing of a Notice of Completion with the San Joaquin County Clerk, the release of contract retention to Amerine of \$26,723 within forty-five (45) days after recording the Notice of Completion, and the release of performance and payment bonds.

BACKGROUND:

On March 14, 2022, City Council awarded a construction contract to Amerine for the construction of the Project. The Project scope included demolition of existing landscaping and hardscaping, and installation of irrigation, plant material, artificial turf, hardscape, flagpole and a concrete seat wall.

During construction, contract change orders were issued for a final contract amount of \$534,461.77. The Project's costs referenced below capture all construction expenditures.

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Construction costs are as follows:

A. Construction Contract	\$497,455.00
B. Contract Change Orders	<u>\$ 37,006.77</u>
 Total Construction Contract Costs	 \$534,461.77

Upon acceptance of the improvements, the performance bond (Bond No. GFB7306767, \$497,455) and payment bond (Bond No. GFB7306767, \$497,455) will be released and replaced with a one-year warranty bond (Bond No. GFB7306767, \$49,745). The one-year warranty bond covers any repairs or replacements that may become necessary during the one-year period beginning with this acceptance due to any defective materials or workmanship in connection with the completed improvements. Amerine has also provided the necessary lien releases for the materials supplied and completed work.

Staff requests City Council accept the improvements constructed by Amerine for the City Hall Landscape Renovation, CIP GG 21-09. Staff also requests City Council authorize the filing of a Notice of Completion with the San Joaquin County Clerk, the release of contract retention to Amerine for \$26,723 within forty-five (45) days after the recording of the Notice of Completion, and the release of performance and payment bonds.

REASON FOR RECOMMENDATION:

Amerine has completed the project pursuant to the contract documents dated March 14, 2022. Staff inspected the improvements and they have been deemed complete and in accordance with the approved plans and specifications by the City Engineer.

Amerine has submitted a one-year warranty bond for the improvements to be accepted (based on 10% of the construction contract) and lien releases confirming all sub-contractors and suppliers have been paid in full. The warranty bond covers any repairs or replacements that become necessary during the one-year period, beginning with this acceptance, due to defective materials or workmanship in connection with the completed improvements.

The performance bond and payment bond will be released and replaced with the one-year warranty bond (based on 10% of the contract price) upon City Council’s acceptance of the improvements.

FISCAL IMPACT:

The final construction contract amount with Amerine for the Project is for \$534,461.77.

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Adequate funds have been allocated in the budget to close out the Project. With the completion of the Project, staff requests that unused funds be transferred back to the original funding sources.

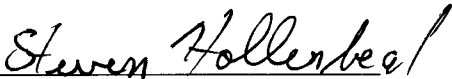
ATTACHMENTS:

- A. Resolution Accepting Public Improvements Constructed by Amerine Landscape, Inc. for the City Hall Landscape Renovation, CIP GG 21-09, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds

- B. Notice of Completion – City Hall Landscape Renovation, CIP GG 21-09

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APPROVALS:




Steven Hollenbeak
Assistant Engineer

8.17.23
Date



Ken Reed
Senior Construction Manager

8-17-23
Date



Brad Taylor
City Engineer

8/21/2023
Date



Cari James
Finance Director

8/22/2023
Date



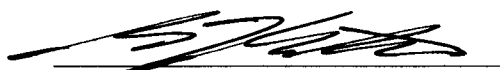
Michael King
Assistant City Manager

8.22.2023
Date



Salvador Navarrete
City Attorney

8.22.2023
Date



Stephen J. Salvatore
City Manager

8.29.23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING PUBLIC IMPROVEMENTS CONSTRUCTED BY AMERINE SYSTEMS, INC. FOR THE CITY HALL LANDSCAPE RENOVATION, CIP GG 21-09, AUTHORIZING THE FILING OF A NOTICE OF COMPLETION, RELEASE OF CONTRACT RETENTION, AND RELEASE OF PERFORMANCE AND PAYMENT BONDS

WHEREAS, on March 14, 2022, City Council awarded a construction contract to Amerine Systems, Inc. (Amerine) for the construction of the City Hall Landscape Renovation, CIP GG 21-09 (Project) in the amount of \$497,455, and a 10% construction contingency of \$49,746 was authorized for staff to use as necessary to achieve the goals of the Project; and

WHEREAS, the scope of work consisted of installation of new plant material, irrigation and concrete flatwork and seat walls, and associated landscape improvements; and

WHEREAS, during construction, contract change orders were issued for a final contract amount of \$534,461.77. The Project's costs referenced below capture all construction expenditures; and

WHEREAS, staff inspected the improvements and the City Engineer deemed the improvements complete and in accordance with the approved plans and specifications; and

WHEREAS, Amerine has provided the necessary lien releases for the materials supplied and completed work and a one-year warranty bond (based on 10% of total project cost) for the improvements being accepted; and

WHEREAS, the performance bond (Bond No. GFB7306767, \$497,455) and payment bond (Bond No. GFB7306767, \$497,455) will be released and replaced with a one-year warranty bond (Bond No. GFB7306767, \$49,745) upon City Council's acceptance of the improvements; and

WHEREAS, the one-year warranty bond covers any repairs or replacements that may become necessary during the one-year period beginning with this acceptance, due to defective materials or workmanship in connection with the completed improvements; and

WHEREAS, adequate funds have been allocated in the FY 2023-24 budget to close out the project. With the completion of the Project, staff requests that unused funds be transferred back to the source Fund; and

WHEREAS, staff requests City Council accept the public improvements constructed by Amerine for the City Hall Landscape Renovation, CIP GG 21-09; and

WHEREAS, staff also requests City Council authorize the filing of a Notice of Completion with the San Joaquin County Clerk, the release of contract retention to Amerine in the amount of \$26,723 within forty-five (45) days after the recording of the Notice of Completion, and the release of performance and payment bonds.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby accept the completed public improvements constructed by Amerine for the City Hall Landscape Renovation, CIP GG 21-09, pursuant to the contract documents dated March 14, 2022; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop authorizes the filing of the Notice of Completion with the San Joaquin County Clerk and the release of the contract retention to Amerine, in the amount of \$26,723, within forty-five (45) days after the recording of the Notice of Completion, and authorizes the release of the performance and payment bonds; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop approves the transfer of unused funds back to the original funding sources.

The foregoing resolution was passed and adopted this 11th day of September, 2023 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

