

ITEM 4.15

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

ITEM: **ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY BOCKMON & WOODY ELECTRIC COMPANY, INC. FOR CAMERA SYSTEMS FOR CITY PARKS, CIP GG 22-35**

RECOMMENDATION: **Adopt Resolution Accepting Public Improvements Constructed by Bockmon & Woody Electric Company, Inc. for Camera Systems for City Parks, CIP GG 22-35, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds**

SUMMARY:

Bockmon & Woody Electric Company, Inc. (Bockmon & Woody) has completed the construction of Camera Systems for City Parks, CIP GG 22-35 (Project). Staff inspected the improvements and they have been deemed complete and in accordance with the approved plans and specifications by the City Engineer.

Bockmon & Woody has submitted lien releases confirming all subcontractors 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 Bockmon & Woody 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 Bockmon & Woody of \$1,416 within forty-five (45) days after recording the Notice of Completion, and the release of performance and payment bonds.

BACKGROUND:

On January 6, 2023, a construction contract was awarded to Bockmon & Woody for the construction of the Project in the amount of \$28,320, with a 10% construction contingency of \$2,832 for staff to use as necessary to achieve the goals of the Project. The Project scope included replacing light poles and installing conduit and wiring at Sangalang, Valverde and Woodfield parks.

Upon acceptance of the improvements, the performance bond (Bond No. 070216784, \$28,320) and payment bond (Bond No. 070216784, \$28,320) will be released and replaced with a one-year warranty bond (Bond No. 070216784, \$2,832). 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. Bockmon & Woody has also provided the necessary lien releases for the materials supplied and completed work.

DECEMBER 11, 2023 CITY COUNCIL REGULAR MEETING**ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY BOCKMON & WOODY ELECTRIC COMPANY, INC. FOR CAMERA SYSTEMS FOR CITY PARKS, CIP GG 22-35**

Staff requests City Council accept the improvements constructed by Bockmon & Woody for Camera Systems for City Parks, CIP GG 22-35. 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 Bockmon & Woody for \$1,416 within forty-five (45) days after the recording of the Notice of Completion, and the release of performance and payment bonds.

REASON FOR RECOMMENDATION:

Bockmon & Woody has completed the project pursuant to the contract documents dated January 6, 2023. Staff inspected the improvements and they have been deemed complete and in accordance with the plans and specifications approved by the City Engineer.

Bockmon & Woody 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 upon City Council's acceptance of the improvements.

FISCAL IMPACT:

The final construction contract amount with Bockmon & Woody for CIP GG 22-35 is for \$28,320. 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 original funding sources.

ATTACHMENTS:

- A. Resolution Accepting Public Improvements Constructed by Bockmon & Woody Electric Company, Inc. for Camera Systems for City Parks, CIP GG 22-35, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds
- B. Notice of Completion – Camera Systems for City Parks, CIP GG 22-35

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DECEMBER 11, 2023 CITY COUNCIL REGULAR MEETING
ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY BOCKMON & WOODY
ELECTRIC COMPANY, INC. FOR CAMERA SYSTEMS FOR CITY PARKS, CIP GG
22-35

APPROVALS:



Steven Hollenbeak
Assistant Engineer

11.21.23


Date



Ken Reed
Senior Construction Manager

11-21-2023

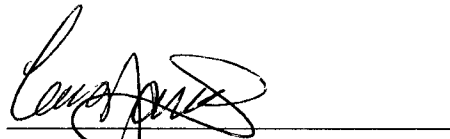
Date



Brad Taylor
City Engineer

11/28/2023

Date



Cari James
Finance Director

11/30/2023

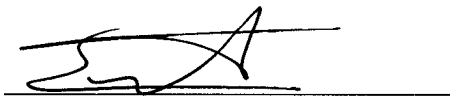
Date



Michael King
Assistant City Manager

11.29.2023

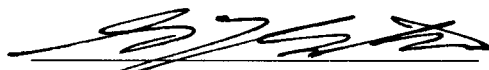
Date



Salvador Navarrete
City Attorney

11.28.2023

Date



Stephen J. Salvatore
City Manager

12.5.23

Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING PUBLIC IMPROVEMENTS CONSTRUCTED BY BOCKMON & WOODY ELECTRIC COMPANY, INC. FOR CAMERAS FOR CITY PARKS, CIP GG 22-35, AUTHORIZING THE FILING OF A NOTICE OF COMPLETION, RELEASE OF CONTRACT RETENTION, AND RELEASE OF PERFORMANCE AND PAYMENT BONDS

WHEREAS, on January 6, 2023, a construction contract was awarded to Bockmon & Woody Electric Company, Inc. (Bockmon & Woody) for the construction of Camera Systems for City Parks, CIP GG 22-35 (Project) in the amount of \$28,320 with a 10% construction contingency of \$2,832 for staff to use as necessary to achieve the goals of the Project; and

WHEREAS, the scope of work consisted of replacing light poles and installing conduit and wiring; and

WHEREAS, during construction, contract change orders were issued for a final contract amount of \$28,320, the cost of which captures 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, Bockmon & Woody 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. 070216784, \$28,320) and payment bond (Bond No. 070216784, \$28,320) will be released and replaced with a one-year warranty bond (Bond No. 070216784, \$2,832) 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 CIP GG 22-35, staff requests that unused funds be transferred back to the source Fund; and

WHEREAS, staff requests City Council accept the public improvements constructed by Bockmon & Woody for Camera Systems for City Parks, CIP GG 22-35; 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 Bockmon & Woody in the amount of \$1,416 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 Bockmon & Woody for Camera Systems for City Parks, CIP GG 22-35, pursuant to the contract documents dated January 6, 2023; 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 Bockmon & Woody, in the amount of \$1,416, 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 source.

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

AYES:

NOES:

ABSENT:

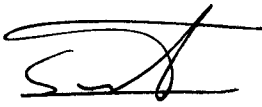
ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

RECORDING REQUESTED BY, AND
WHEN RECORDED MAIL TO:

ATTACHMENT
" B "

CITY OF LATHROP
ATTN: CITY CLERK
390 TOWNE CENTRE DRIVE
LATHROP, CA 95330
Exempt from payment of recording fees (GC 11922)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN:

1. That the interest or estate stated in paragraph 3 herein in the real property herein described is owned by:

NAME STREET AND NO. CITY STATE

City of Lathrop 390 Towne Centre Drive Lathrop CA 95330

(If more than one owner of the interest stated, the name and address of each must be stated)

2. That the full name and address of the owner of said interest or estate, if there is only one owner, and that the full names and addresses of all the co-owners who own said interest or estate as tenants in common, as joint tenants, or otherwise, if there is more than one owner, are set forth in the preceding paragraph.

3. That the nature of the title of stated owner, or if more than one owner, then of the stated owner and co-owners is fee title (e.g. fee title, leasehold, joint tenancy, etc.).

4. That on the 11th day of December, 2023 a work of improvement on the real property herein described was completed.

5. That the name of the original contractor, if any, for said work of improvement was: Bockmon & Woody Electric Company, Inc.

6. That the name and address of the transferor is:

NAME STREET AND NO. CITY STATE

Bockmon & Woody Electric Company, Inc. 1528 El Pinal Dr. Stockton CA 95205

7. That the real property herein referred to is situated in the City of Lathrop County of San Joaquin, State of California, and is described as follows:

CIP GG 22-35, Camera Systems for City Parks

That the undersigned has knowledge of the contents herein and states under penalty of perjury that the foregoing is true and correct.

CITY OF LATHROP

By: _____
Stephen J. Salvatore, City Manager Date

By: _____
Teresa Vargas, City Clerk Date

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the NOTICE OF COMPLETION dated **December 11, 2023** by **Bockmon & Woody Electric Company, Inc.** to the **City of Lathrop**, a political corporation and/or governmental agency, is hereby accepted by the undersigned officer or agent on behalf of the City Council pursuant to authority conferred by minute action of the City Council adopted on **December 11, 2023**, and the grantee consents to recordation thereof by its duly authorized officer.

Dated _____

By _____
Stephen J. Salvatore, City Manager