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

ITEM: ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY

NOR-CAL CONCRETE COMPANY FOR TEMPORARY

ANIMAL CENTER CONCRETE, CIP GG 23-06

RECOMMENDATION: Adopt Resolution Accepting Public Improvements

Constructed by Nor-Cal Concrete Company for Temporary Animal Center Concrete, CIP GG 23-06, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of

Performance and Payment Bonds

SUMMARY:

Nor-Cal Concrete Company (Nor-Cal) has completed the construction of Temporary Animal Center Concrete, CIP GG 23-06 (Project). Staff inspected the improvements and they have been deemed complete and in accordance with the approved plans and specifications by the City Engineer.

Nor-Cal 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 Nor-Cal 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 Nor-Cal of \$4,190 within forty-five (45) days after recording the Notice of Completion, and the release of performance and payment bonds.

BACKGROUND:

On April 10, 2023, City Council ratified the City Manager's award of a construction contract on March 1, 2023 to Nor-Cal for the construction of the Project in the amount of \$76,590, with a 20% construction contingency of \$15,318 for staff to use as necessary to achieve the goals of the Project. The Project scope included pouring concrete slabs for foundations for modular animal kennels.

During construction, contract change orders (CCO) were issued for a final contract amount of \$83,790. The Project's costs referenced below capture all construction expenditures:

CITY MANAGER'S REPORT **DECEMBER 11, 2023 CITY COUNCIL REGULAR MEETING** ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY NOR-CAL CONCRETE COMPANY FOR TEMPORARY ANIMAL CENTER CONCRETE, CIP GG 23-06

A. Construction Contract	\$76,590
B. Contract Change Orders	\$ 7,200
Total Construction Contract Costs	\$83,790

Upon acceptance of the improvements, the performance bond (Bond No. WCN7443975, \$76,590) and payment bond (Bond No. WCN7443975, \$76,590) will be released and replaced with a one-year warranty bond (Bond No. WCN7443975, \$8,379). 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. Nor-Cal has also provided the necessary lien releases for the materials supplied and completed work.

Staff requests City Council accept the improvements constructed by Nor-Cal Concrete Company for Temporary Animal Center Concrete, CIP GG 23-06. 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 Nor-Cal of \$4,190 within forty-five (45) days after the recording of the Notice of Completion, and the release of performance and payment bonds.

REASON FOR RECOMMENDATION:

Nor-Cal has completed the project pursuant to the contract documents dated March 1, 2023. Staff inspected the improvements and they have been deemed complete and in accordance with the plans and specifications approved by the City Engineer.

Nor-Cal 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 oneyear warranty bond upon City Council's acceptance of the improvements.

FISCAL IMPACT:

The final construction contract amount with Nor-Cal for the Project is for \$83,790. Adequate funds have been allocated in the FY 2023-24 budget to close out CIP GG 23-06. With the completion of the Project, staff requests that unused funds be transferred back to the original funding sources.

CITY MANAGER'S REPORT

DECEMBER 11, 2023 CITY COUNCIL REGULAR MEETING

ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY NOR-CAL CONCRETE

COMPANY FOR TEMPORARY ANIMAL CENTER CONCRETE, CIP GG 23-06

ATTACHMENTS:

- A. Resolution Accepting Public Improvements Constructed by Nor-Cal Concrete Company for Temporary Animal Center Concrete, CIP GG 23-06, Authorizing the Filing of a Notice of Completion, Release of Contract Retention, and Release of Performance and Payment Bonds
- B. Notice of Completion Temporary Animal Center Concrete, CIP GG 23-06

CITY MANAGER'S REPORT DECEMBER 11, 2023 CITY COUNCIL REGULAR MEETING ACCEPT PUBLIC IMPROVEMENTS CONSTRUCTED BY NOR-CAL CONCRETE COMPANY FOR TEMPORARY ANIMAL CENTER CONCRETE, CIP GG 23-06

APPROVALS:

Awen Hollersbyl	11.27.23
Steven Hollenbeak Assistant Engineer	Date
Ken Reed Senior Construction Manager	<u> 11-27-23</u> Date
Brad Taylor City Engineer	11/27/2023 Date
Cari James Finance Director	11/30/2023 Date
Michael King	11 · 29 · 2023 Date
Assistant City Manager Salvador Navarrete	<u> </u>
City Attorney	12.5.23
Stephen J. Salvatore City Manager	Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING PUBLIC IMPROVEMENTS CONSTRUCTED BY NOR-CAL CONCRETE COMPANY FOR TEMPORARY ANIMAL CENTER CONCRETE, CIP GG 23-06, AUTHORIZING THE FILING OF A NOTICE OF COMPLETION, RELEASE OF CONTRACT RETENTION, AND RELEASE OF PERFORMANCE AND PAYMENT BONDS

WHEREAS, on April 10, 2023, City Council ratified the City Manager's award of a construction contract to Nor-Cal Concrete Company (Nor-Cal) on March 1, 2023 for the construction of Temporary Animal Center Concrete, CIP GG 23-06 (Project) in the amount of \$76,590 with a 20% construction contingency of \$15,318 for staff to use as necessary to achieve the goals of the Project; and

WHEREAS, the scope of work consisted of pouring concrete slabs for foundations for modular animal kennels; and

WHEREAS, during construction, contract change orders were issued for a final contract amount of \$83,790, 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, Nor-Cal 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. WCN7443975, \$76,590) and payment bond (Bond No. WCN7443975, \$76,590) will be released and replaced with a one-year warranty bond (Bond No. WCN7443975, \$8,379) 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 Nor-Cal for Temporary Animal Center Concrete, CIP GG 23-06; 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

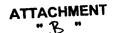
Nor-Cal in the amount of \$4,190 within forty-five (45) days after the recording of the Notice of Completion, and the release of performance and payment bonds.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby accept the completed public improvements constructed by Nor-Cal Concrete Company for Temporary Animal Center Concrete, CIP GG 23-06, pursuant to the contract documents dated March 1, 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 Nor-Cal Concrete Company, in the amount of \$4,190, 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 adby the following vote of the City Council, to v	
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Sonny Dhaliwal, Mayor
ATTEST:	APPROVED AS TO FORM:
Teresa Vargas, City Clerk	Salvador Navarrete, City Attorney



RECORDING REQUESTED BY, AND

WHEN RECORDED MAIL TO:

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:

Ι.	That the interest or estate stated	1 0 1	1 1 1	escribed is owne	•
	NAME ST	REET AND NO.	CITY		STATE
		Towne Centre Drive	Lathro		A 95330
	(If more than one owner of	the interest stated, the na	me and address of each m	ust be stated)	
2.	That the full name and address names and addresses of all the c otherwise, if there is more than	o-owners who own said in	iterest or estate as tenants i	n common, as jo	
3.	That the nature of the title of st fee title (e.g. fee title, leasehold		an one owner, then of the	stated owner and	l co-owners is
4.	That on the <u>11th</u> day of <u>D</u> completed.	ecember, 2023_ a work o	f improvement on the real	property herein	described was
5.	That the name of the original co	ontractor, if any, for said	work of improvement was:	Nor-Cal Concre	ete Company
6.	That the name and address of the NAME	e transferor is: STREET AND NO	CITY		STATE
	Nor-Cal Concrete Company	P.O. Box 521	Suisun City	CA	94585
7.	That the real property herein re State of California, and is descr		City of Lathrop	County of	f San Joaquin,
	CIP GG 23-06 Temporary Anir	nal Center Concrete			
	nt the undersigned has knowledge correct.	of the contents herein and	states under penalty of pe	erjury that the for	regoing is true
		CITY	OF LATHROP		
		· By:			-
			Stephen J. Salvatore, Cit	y Manager	Date
		By:			
		•	Teresa Vargas, City Cler	rk	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 Nor-Cal Concrete Company 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	

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