



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: February 14, 2023

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Matthew Lee, Public Works Director

SUBJECT: Adopt Resolution of the City Council of the City of San Bruno Accepting the Sidewalk Repair Contract as Complete, Authorizing the Filing of Notice of Completion with the San Mateo County Recorder's Office, and Authorizing Release of the Construction Contract Retention in the Amount of \$27,967.72

BACKGROUND: The City's Capital Improvement Program (CIP) includes the Sidewalk Repair Program to provide a safe and accessible public sidewalk system and reduce liability to both the City and property owners. In 2014, a survey was conducted to identify uplifted sidewalk areas throughout the City. Information from that survey has been used to identify sidewalk locations damaged by City trees and is therefore the City's responsibility to repair in accordance with the municipal code. In addition, the project included a program in which property owners were encouraged to authorize the City to perform necessary sidewalk repair at locations that are their responsibility, with the property owner covering the cost of the repair. Benefits for participating in this program included lower unit pricing from the contractor, waiving of encroachment permit fees, and construction inspection by the City at no cost to the property owner.

Similar to previous sidewalk repair projects, the scope of work for the City funded portion of this project replaced locations where sidewalk offsets were $\frac{3}{4}$ inch or greater and was the City's responsibility to repair. The City coordinated with residents to identify damaged sidewalks and driveways that qualified to be repaired as part of this project at the expense of the respective owners.

The City identified various locations where curb returns did not have existing ADA compliant curb ramps. As part of this project, the Contractor installed curb ramps to improve the ease of access for people with disabilities and safety of pedestrians when traversing along the designated path of pedestrian travel.

The 2021-22 Sidewalk Repair Project contracted was awarded to J.J.R. Construction on October 26, 2021 in the amount of \$489,589.50 with a construction contingency of \$80,000 (15%) and a total construction budget of \$644,589.50.

Staff plans to conduct an updated survey in 2023 that will reassess uplifted sidewalk areas throughout the City.

DISCUSSION: On January 31, 2022, J.J.R. Construction began construction on the 2021-22 Sidewalk Repair Project. The contract time provided was 60 calendar days from the Notice to Proceed effective date. A total of 15 curb ramps and 291 locations, totaling approximately 16,800 square feet, which include locations from the sidewalk survey, resident participation, and resident complaint list were completed as part of the project. Prior to the start of construction, City staff met with property owners responsible to repair damaged sidewalk fronting their properties to coordinate location and cost for the City's contractor to perform the repairs. Property owners interested in participating in the program after construction began were permitted to do so if the work was in line with the contractor's schedule and location. Upon fully executed agreements between the City and the property owner for construction services and payment from property owners, the City's contractor proceeded with the repairs. Included in the total number of locations, 38 were resident participations for this year's project. Final completion for the project was reached on October 10, 2022.

Change orders were issued to J.J.R. Construction due to adding locations to the project, unforeseen conditions, and crosswalk striping adjustments required at newly installed curb ramps. The change orders that were issued for additional work totaled \$69,765.02, which resulted in the final contract amount of \$559,354.52.

All construction work as part of this contract has been completed to the satisfaction of the City's project management team. There are no unresolved stop notices or outstanding construction claims for this project. The construction contract required a 5% retention which totals \$27,967.72 be withheld by the City. Staff recommends that the City Council accept the project as complete, authorize filing Notice of Completion with the San Mateo County Recorder's Office, and approve the release of the contract retention.

FISCAL IMPACT: Total construction expenditure of the project totaled \$641,024.05 which includes the construction contract of \$489,589.50, change order in the amount of \$69,765.02 and reproduction and advertisement costs of \$900. The remaining amount of \$3,565.45 will be returned to the Sidewalk Repair Fund for next project. The project cost breakdown is shown below.

	<u>Budget</u>	<u>Actual</u>
Construction Contract	\$489,589.50	\$489,589.50
Contingency	\$80,000.00	
Construction Management - Staff Time	\$75,000.00	\$80,769.53
Change Orders		\$69,765.02
Reproduction & Advertisement		\$900.00
Total Project Cost	\$644,589.50	\$641,024.05

RECOMMENDATION: Adopt Resolution Accepting the Sidewalk Repair Contract as Complete, Authorizing the Filing of Notice of Completion with the San Mateo County Recorder's Office, and Authorizing Release of the Construction Contract Retention in the Amount of \$27,967.72.

ALTERNATIVES:

Do not accept the construction contract as complete and do not authorize filing of a Notice of Completion. This alternative would lead to potential delay claims for not releasing the contract retention per project specifications.

ATTACHMENTS:

1. Resolution
2. Project Acceptance Information Form