

## RESOLUTION NO. 2021-81

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA ACCEPTING THE COMPLETION OF THE STOCKADE COMPLEX HAZARDOUS MATERIAL ABATEMENT AND BUILDING REMOVAL PROJECT AND AUTHORIZING THE FILING OF A NOTICE OF COMPLETION WITH THE MONTEREY COUNTY RECORDER'S OFFICE

WHEREAS, on January 22, 2020, the City Council of the City of Marina adopted Resolution No. 2020-07, approving a Memorandum of Agreement between the City of Marina and the former Fort Ord Reuse Authority (FORA), for project management of the hazardous material and building removal of the City of Marina's stockade and ancillary buildings; and Authorizing City Manager to execute the Memorandum of Agreement on behalf of the City, subject to final review and approval by City Attorney; and

WHEREAS, on June 9, 2020 City Manager executed the Memorandum of Agreement on behalf of the City and received the funding in the amount of \$2,050,000.00 for the execution of work to abate and demolish the buildings included in the Stockade Complex; and

WHEREAS, at the Mach 17, 2020, the City Council of Marina adopted Resolution 2020-24 approving the advertisement and call for bids for the Stockade Complex Hazardous Material Abatement and Building Removal Project; and

WHEREAS, at the special meeting on August 21, 2020, the City Council adopted Resolution No. 2020-110, awarding the Base Bid and Additive Alternate Bid for the Stockade Complex Hazardous Material Abatement and Building Removal Project to Resource Environmental Inc. of Long Beach, California in the amount of \$1,165,000, and, plus allocating, \$233,000 (20%) construction contingency and \$406,100 for construction management and inspection, and closeout and project engineering and management; and

WHEREAS, the final construction cost with five contract change orders was \$1,218,741.53. Contract change orders were for mitigation of two live water laterals and several unforeseen conditions like removal of a thick two-layer concrete slab and very deep footings at the basement and mechanical room. These unforeseen conditions had caused change in operations and construction delays. An additional 20 working days was approved for these construction change orders, however the contractor managed to substantially complete the project a week early; and

WHEREAS, the total project cost of \$1,497,545.56 is 68% of the total allocated amount and has a remaining balance of \$552,454 from the FORA funding. The project was completed within the allotted contract working days and has a one-year maintenance period after the completion of project; and

WHEREAS, the Stockade Complex Hazardous Material Abatement and Building Removal Project is now complete. It is appropriate to accept these public improvements and to file a Notice of Completion for the project with the Monterey County Recorder's Office ("EXHIBIT A"). Following Council approval, the City will receive a one-year warranty bond for the project from the Contractor and release contract retention 35 days after the recording of the Notice of Completion.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina does hereby:

1. Accept the completion of the Stockade Complex Hazardous Material Abatement and Building Removal Project; and
2. Authorize the filing of a Notice of Completion with the Monterey County Recorder's Office.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Marina, duly held on the 7<sup>th</sup> day of July 2021 by the following vote:

AYES: COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

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Bruce Delgado, Mayor

ATTEST:

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Anita Sharp, Deputy City Clerk

After Recordation Return To:

City of Marina  
Public Works Department  
211 Hillcrest Avenue  
Marina, CA 93933

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the City of Marina, a municipal corporation, did, on the 29<sup>st</sup> Day of September, 2020, enter into a contract with Resource Environmental Inc. of Long Beach, California wherein said contractor agreed to complete all work for the Stockade Complex Hazardous Material Abatement and Building Removal Project in accordance with the plans and specifications furnished by the City of Marina.

That the work under said contract was completed by the contractor or assignee and accepted by the City of Marina on May 7, 2021.

The real property involved in said contract is described as 449 9<sup>th</sup> Street, Marina California with the property interest of the City as Owner.

Dated: July \_\_, 2021

MARINA, a Municipal Corporation

BY \_\_\_\_\_  
Brian McMinn  
Public Works Director/City Engineer

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VERIFICATION

I, the undersigned, say: I am the Public Works Director/City Engineer of the City of Marina, a Municipal Corporation, and the declarant of the foregoing notice of completion: 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 \_\_\_\_\_, 2021, at Marina, California.

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Brian McMinn  
Public Works Director/City Engineer

June 29, 2021

Item No. **8h(1)**

Honorable Mayor and Members  
of the Marina City Council

City Council Meeting  
of July 7, 2021

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2021-,  
ACCEPTING THE COMPLETION OF THE STOCKADE COMPLEX  
HAZARDOUS MATERIAL ABATEMENT AND BUILDING REMOVAL  
PROJECT AND AUTHORIZING THE FILING OF A NOTICE OF  
COMPLETION WITH THE MONTEREY COUNTY RECORDER'S  
OFFICE**

**REQUEST:**

It is requested that the City Council consider:

1. Adopting Resolution No. 2021-, accepting the completion of the Stockade Complex Hazardous Material Abatement and Building Removal Project; and
2. Authorizing the filing of a Notice of Completion with the Monterey County Recorder's Office.

**BACKGROUND:**

On January 22, 2020, the City Council of the City of Marina adopted Resolution No. 2020-07, approving a Memorandum of Agreement between the City of Marina and the former Fort Ord Reuse Authority (FORA), for project management of the hazardous material and building removal of the City of Marina's stockade and ancillary buildings; and Authorizing City Manager to execute the Memorandum of Agreement on behalf of the City, subject to final review and approval by City Attorney.

On June 9, 2020, City Manager executed the Memorandum of Agreement on behalf of the City and received the funding in the amount of \$2,050,000 for the execution of work to abate and demolish the buildings included in the Stockade Complex.

On the March 17, 2020, the City Council adopted Resolution 2020-24 approving the advertisement and call for bids for the Stockade Complex Hazardous Material Abatement and Building Removal Project.

At the special meeting on August 21, 2020, the City Council adopted Resolution No. 2020-110, awarding the Base Bid and Additive Alternate Bid for the Stockade Complex Hazardous Material Abatement and Building Removal Project to Resource Environmental Inc. of Long Beach, California in the amount of \$1,165,000, and, plus allocating, \$233,000 (20%) construction contingency and \$406,100 for construction management and inspection, and closeout and project engineering and management.

### **ANALYSIS:**

Following is the project expenditure summary:

| Project Expenditure Summary                                           |                  |                        |
|-----------------------------------------------------------------------|------------------|------------------------|
| Description                                                           | Allocated Amount | Expense Amount         |
| Project Management, Engineering, Construction Management & Inspection | \$ 406,100.00    | \$ 278,804.03          |
| REI Construction Award                                                | \$ 1,165,000.00  | \$ 1,165,000.00        |
| 20% Construction Contingency                                          | \$ 233,000.00    |                        |
| Construction Change Orders (5 total)                                  |                  | \$ 53,741.53           |
| Total Construction Cost                                               |                  | \$ <b>1,218,741.53</b> |
| <b>TOTAL PROJECT COST</b>                                             |                  | \$ <b>1,497,545.56</b> |

The final construction cost with five contract change orders was \$1,218,741.53. Contract change orders were for mitigation of two live water laterals and several unforeseen conditions like removal of a thick two-layer concrete slab and very deep footings at the basement and mechanical room. These unforeseen conditions caused changes in operations and construction delays. An additional 20 working days was approved for these construction change orders, however, the Contractor managed to substantially complete the project a week early.

The total project cost of \$1,497,545.56 is 68% of the total allocated amount and has a remaining balance of \$552,454 from the FORA funding. The project was completed within the allotted contract working days and has a one-year maintenance period after the completion of project.

The Stockade Complex Hazardous Material Abatement and Building Removal Project is now complete. It is appropriate to accept these public improvements and to file a Notice of Completion for the project with the Monterey County Recorder's Office ("**EXHIBIT A**"). Following Council approval, the City will receive a one-year warranty bond for the project from the Contractor and release contract retention 35 days after the recording of the Notice of Completion.

### **FISCAL IMPACT:**

No additional budget impact due to this action. Approval will result in release of contract payment retention which was budgeted and approved at the time of contract award. Remaining project funds may be used in subsequent blight removal at former Fort Ord.

### **CONCLUSION:**

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

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Elvie Camacho, P.E., QSD  
Project Management Services  
Wallace Group

**REVIEWED/CONCUR:**

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Brian McMinn, P.E., P.L.S.  
Public Works Director/City Engineer  
City of Marina

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Layne P. Long  
City Manager  
City of Marina