

RESOLUTION NO. 2023-102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
ACCEPTING THE COMPLETION OF THE CALIFORNIA AVENUE
PEDESTRIAN CROSSING INSTALLATION PROJECT AND AUTHORIZING
THE FILING OF A NOTICE OF COMPLETION WITH THE MONTEREY
COUNTY RECORDER'S OFFICE

WHEREAS, the California Avenue Pedestrian Crossing Installation Project includes installation of a crosswalk and two new ADA compliant curb ramps on the south side of the intersection with a Pedestrian Hybrid Beacon (PHB) signal and associated electrical system. In addition, work will require conform curb, gutter, and sidewalk, asphalt concrete pavement; pavement markings and striping and associated miscellaneous work for a complete and operational pedestrian crossing in accordance with bidding documents; and,

WHEREAS, on August 16, 2022, the City Council passed Resolution No. 2022-107 approving advertising and calling for bids for the California Avenue Pedestrian Crossing Installation Project and directed staff to coordinate with Marina Youth Arts for the utility box art for an estimated cost of \$1,100; and,

WHEREAS, On October 6, 2022, the City Council passed Resolution No. 2022-118 awarding a construction contract for the California Avenue Pedestrian Crossing Installation Project to Monterey Peninsula Engineering of Marina, CA for the total bid in the amount of \$404,148.00; and,

WHEREAS, the final construction cost is \$441,959.94 which includes four construction change orders due to unforeseen conditions. These construction change orders were for construction of retaining wall behind the control pedestal, low impact storm drain structure to drain an existing low spot on the roadway. An additional HMA paving necessary for ADA compliant crosswalk across Marina Heights and to provide better transition to existing pavement, balance construction change order reflecting the installed and bid quantities and associated cost and an additional time due to material and utility coordination delays; and,

WHEREAS, the project was substantially completed on September 6, 2023, and closeout documents were received on September 29, 2023. **Exhibit B** shows the before, during and after construction photos of the project; and,

WHEREAS, the total project cost of \$573,613.17 is \$8,613.17 over the allocated project funding of \$565,000. The overage of the total cost of the project is due to additional time to manage and inspect the project during construction and the cost for the box art that was not accounted for on the award of construction contract. There is sufficient funding within the Capital Improvement Program Fund 462 to cover the additional project expenses and close out the project; and,

WHEREAS, no additional budget impact is due to this action. Approval will result in release of contract payment retention which was budgeted and approved at the time of contract award. The California Avenue Pedestrian Crossing Installation Project is funded by the City CIP Program (HSR2005); and,

WHEREAS, the acceptance of project and authorization to file Notice of Completion for the California Avenue Pedestrian Crossing Installation Project (HSR2005) is not a project as defined by the California Environmental Quality Act (CEQA); and,
Resolution No. 2023-102

WHEREAS, the California Avenue Pedestrian Crossing Installation Project is complete. It is appropriate to accept these public improvements and to file a Notice of Completion (**Exhibit A**) for the project with the Monterey County Recorder's Office. Following Council approval, a Notice of Completion will be filed, and contract retention release is 35 days after the recording of the Notice of Completion; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina to adopt Resolution No. 2023-, for the following actions:

1. Accepts the completion of the California Avenue Pedestrian Crossing Installation Project, and;
2. Authorizes the filing of a Notice of Completion with the Monterey County Recorder's Office.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 17th day of October 2023, by the following vote:

AYES: COUNCIL MEMBERS: Visscher, McCarthy, Biala, Medina Dirksen

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Delgado

ABSTAIN: COUNCIL MEMBERS: None

Cristina Medina Dirksen
Mayor Pro Tem

ATTEST:

Anita Sharp, Deputy City Clerk

EXHIBIT A

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 24th day of October 2022, enter into a contract with Monterey Peninsula Engineering of Marina, California wherein said contractor agreed to complete all work for the California Avenue Pedestrian Crossing Installation Project in accordance with the plans, specifications, addenda and construction change orders issued 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 October 17, 2023.

The real property involved in said contract is described as various City Streets, Marina California with the property interest of the City as Owner.

Dated: August 2, 2023

MARINA, a Municipal Corporation

BY: _____
Brian McMinn, P.E./P.L.S.
Public Works Director/City Engineer

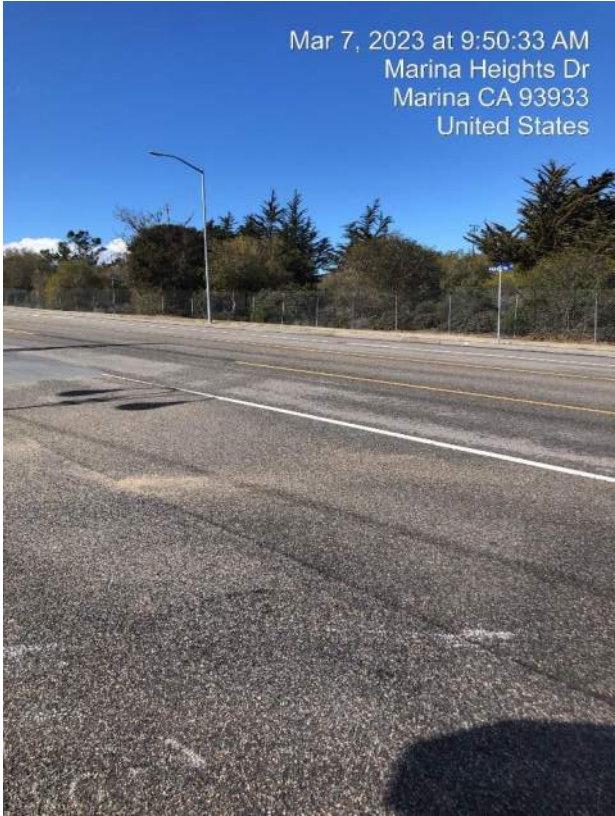
VERIFICATION

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 _____, 2023, at Marina, California.

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

Exhibit B



PRE-CONSTRUCTION PHOTOS



POST CONSTRUCTION PHOTOS



POST CONSTRUCTION PHOTOS

October 12, 2023

Item No. **10h(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of October 17, 2023

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-,
ACCEPTING THE COMPLETION OF THE CALIFORNIA AVENUE
PEDESTRIAN CROSSING INSTALLATION 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 Resolution No 2023- for the following actions:

1. Accepting the completion of the California Avenue Pedestrian Crossing Installation Project, and;
2. Authorizing the filing of a Notice of Completion (**EXHIBIT A**), with the Monterey County Recorder's Office.

BACKGROUND:

The California Avenue Pedestrian Crossing Installation Project includes installation of a crosswalk and two new ADA compliant curb ramps on the south side of the intersection with a Pedestrian Hybrid Beacon (PHB) signal and associated electrical system. In addition, work will require conform curb, gutter, and sidewalk, asphalt concrete pavement; pavement markings and striping and associated miscellaneous work for a complete and operational pedestrian crossing in accordance with bidding documents.

On August 16, 2022, the City Council passed Resolution No. 2022-107 approving advertising and calling for bids for the California Avenue Pedestrian Crossing Installation Project and directed staff to coordinate with Marina Youth Arts for the utility box art for an estimated cost of \$1,100.

On October 6, 2022, the City Council passed Resolution No. 2022-118 awarding a construction contract for the California Avenue Pedestrian Crossing Installation Project to Monterey Peninsula Engineering of Marina, CA.

ANALYSIS:

Following is the project expenditure summary:

Project Expenditure Summary		
Description	Approved Amount	Expense Amount
Monterey Peninsula Engineering Construction Award	\$404,148.00	\$404,148.00
10% Construction Contingency	\$40,414.80	
Construction Change Orders (4 total)		\$37,811.94
Total Construction Cost	\$444,562.80	\$441,959.94 (1)
Project Management, Engineering and Surveying Services, Construction Management, Testing & Inspection	\$113,378.80	\$125,291.85 (2)
Other Expenses (PG&E & Utility Box Art)	\$6,374.34	\$6,361.38 (3)
TOTAL PROJECT COST (1+2+3)	\$564,315.94	\$573,613.17

The final construction cost is \$441,959.94 which includes four construction change orders due to unforeseen conditions. These construction change orders were for construction of retaining wall behind the control pedestal, low impact storm drain structure to drain an existing low spot on the roadway. An additional HMA paving necessary for ADA compliant crosswalk across Marina Heights and to provide better transition to existing pavement, balance construction change order reflecting the installed and bid quantities and associated cost and an additional time due to material and utility coordination delays.

The project was substantially completed on September 6, 2023, and closeout documents were received on September 29, 2023. **EXHIBIT B** shows the before, during and after construction photos of the project.

The California Avenue Pedestrian Crossing Installation Project is complete. It is appropriate to accept these public improvements and to file a Notice of Completion (**EXHIBIT A**) for the project with the Monterey County Recorder's Office. Following Council approval, a Notice of Completion will be filed, and contract retention release is 35 days after the recording of the Notice of Completion.

FISCAL IMPACT:

The total project cost of \$573,613.17 is \$8,613.17 over the allocated project funding of \$565,000. The overage of the total cost of the project is due to additional time to manage and inspect the project during construction and the cost for the box art that was not accounted for on the award of construction contract. There is sufficient funding within the Capital Improvement Program Fund 462 to cover the additional project expenses and close out the project.

Approval will result in release of contract payment retention which was budgeted and approved at the time of contract award. The California Avenue Pedestrian Crossing Installation Project is funded by the City CIP Program (HSR2005).

California Environmental Quality Act (CEQA)

The acceptance of project and authorization to file Notice of Completion for the California Avenue Pedestrian Crossing Installation Project (HSR2005) is not a project as defined by the California Environmental Quality Act (CEQA).

CONCLUSION:

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

Respectfully submitted,

Elvira Morla-Camacho, P.E., QSD
Project Management Services
Wallace Group

REVIEWED/CONCUR:

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

Layne P. Long
City Manager
City of Marina