



MEMORANDUM

TO: City Council

FROM: Bill Robeson, Assistant City Manager/Public Works Director

BY: Shannon Sweeney, City Engineer

SUBJECT: Consideration of Acceptance of the 191 Tally Ho Road Frontage Improvements Project, PW 2023-09

DATE: March 12, 2024

SUMMARY OF ACTION:

Consider accepting the 191 Tally Ho Road Frontage Improvements Project and beginning the one-year warranty period for defects that may arise.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

The final contract cost of \$84,212 and change orders from contingency of \$1,764 resulted in a total construction cost of \$85,976 to the City.

This project was identified in the FY 2023-24 Capital Improvement Program budget and funded from sales tax in the amount of \$110,000. The \$85,976 in construction costs is within the funding available for this project. The remaining budget is being applied to the asphalt repair in front of 191 Tally Ho Road, which is associated with the 2022 Streets Repair Project.

RECOMMENDATION:

- 1) Accept the project improvements as constructed by JJ Fisher Construction, Inc. in accordance with the plans and specifications for the 191 Tally Ho Road Frontage Improvements Project, PW 2023-09;
- 2) Direct staff to file a Notice of Completion; and
- 3) Authorize release of retention, thirty-five (35) days after the Notice of Completion has been recorded if no liens have been filed.

BACKGROUND:

At its [August 8, 2023](#) meeting, the City Council awarded a construction contract to JJ Fisher Construction, Inc., to complete the 191 Tally Ho Road Frontage Improvements Project (PW 2023-09) in the amount of \$84,212 and authorized the City Manager to approve change orders from contingency in the amount of \$8,421.20 (10% of the overall

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cost) for unanticipated costs during the construction phase of this project. The contractor's final construction cost for the project, including contingency, is \$85,976.

The 191 Tally Ho Road Frontage Improvements Project consisted of acquisition of private property that protruded into the vehicle travel way in exchange for street Right of Way, grading, replacement of retaining walls, and a fence, drainage, utility relocation, and site cleanup. The installation of concrete curb and gutter and the resurfacing of the street were completed as part of the annual Pavement Management Program.

This project was deemed substantially complete on January 26, 2024, at which time City staff and the contractor documented a punch list of minor items that needed to be addressed prior to considering the project fully complete. Those items include epoxying wall caps, removing debris, placing topsoil, finishing elements to the fence posts, and resolution to the western gap between the fence and sidewalk. The last of these items was completed on February 2, 2024.

ANALYSIS OF ISSUES:

The contractor has completed the work in accordance with the approved plans and specifications within the contract time frame, under the available budget, and there are no deficiencies that have been noted by city staff and no complaints have been received. It is, therefore, recommended that the City Council accept the 191 Tally Ho Road Frontage Improvement Project and begin the one-year warranty period for defects that may arise.

Shown below are a before and after view of the project.

Before



Item 9.d.

After



ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Accept the 191 Tally Ho Frontage Improvements Project;
2. Do not accept the project; or
3. Provide other direction to staff.

ADVANTAGES:

The project is complete and accepting the improvements will allow staff to close out the project.

DISADVANTAGES:

No disadvantages have been identified in accepting this project.

ENVIRONMENTAL REVIEW:

At its [August 8, 2023](#) meeting, City Council determined that construction of this project was categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Class 2 Section 15302 Replacement or Reconstruction. No further environmental review is required.

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PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

ATTACHMENTS:

1. Notice of Completion