

## REPORT TO CITY COUNCIL

Approved by:

A handwritten signature in blue ink, appearing to read "Keith Helmuth".

Keith Helmuth, Department Director

A handwritten signature in blue ink, appearing to read "Arnaldo Rodriguez".

Arnaldo Rodriguez, City Manager

Council Meeting of: October 20, 2021

Agenda Number: B-7

### SUBJECT:

Construction of Centennial Park, Pan American, and Frank Bergon American with Disabilities Act (ADA) and Lighting Improvements

### RECOMMENDATION:

Adopt a Minute Order Approving the Acceptance of Centennial Park, Pan American, and Frank Bergon ADA and Lighting Improvements, CDBG Project Nos. B15MC060053, B17MC060053, B18MC060053, City Project Nos. PK-62 & PK-63, Notice of Completion, Release of Retention 35 days after Recording Notice of Completion

### SUMMARY:

The City Council (Council), at its November 20, 2019 meeting, awarded a contract to Serna Construction Inc. (Contractor) for the Project in the amount of \$268,522. On May 20, 2020, the Council approved a Contract Amendment of \$100,000 to include the installation of lighting improvements at the pool area at Centennial Park increasing the total contract to \$368,522. The Contractor has completed the Project in accordance with the plans and specifications and as modified by approved change orders.

### BACKGROUND:

In an effort to make public facilities more accessible, staff presented several improvements to Council for consideration. More specifically, these improvements included:

- *Centennial Park:* Light Emitting Diode (LED) lighting upgrades at the parking lot and around John Wells Youth Center building, installation of 3 new streetlights, new shade structure and LED lighting upgrades at the pool, and striping refresh.
- *Pan American Community Center:* Installation of an ADA Ramp, New ADA concrete parking stalls, and striping refresh.
- *Frank Bergon American:* Installation of an ADA Ramp, New ADA concrete parking stalls,

and striping refresh.

It is noted that two Change Orders were processed. The change orders consisted of construction of ADA concrete parking stalls at Frank Bergon Center, time and material costs, and a final balancing change order involving additives or deductive items based on the total worked performed versus the total quantity included in the bid item.

The final progress payment, less the retention amount of five percent, has been processed. See Table 1 for a summary of contract costs.

<b>Table 1: Project Summary</b>		
<i>Contract Amount</i>	<i>Total Change Orders</i>	<i>Total Construction Contract Cost</i>
\$368,522.00	\$41,610.25	\$405,132.25

The total cost of the Change Orders increased the cost of the project approximately 11.3 percent, wherein a contingency of 15 percent was included. The construction project was completed within available budget.

The contractor required additional time to complete the project due to required substitution of the electrical subcontractor for non-performance.

A final project inspection was conducted by City staff. All parties agree that the project can be recommended for acceptance by the Council and a "Notice of Completion" recorded.

**FINANCIAL IMPACT:**

There is no fiscal impact to the City's General Fund.

Funding for the project is a conglomeration of various Community Development Block Grant CDBG Project Nos. Those being B15MC060053, B17MC060053, and B18MC060053 which are programmed in CIP Budget FY 2021/22.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

*Strategy 101.6:* Ensure infrastructure can sustain population growth in the development of the General Plan.

*Strategy 121* - Develop a city-wide multi-modal transportation plan to ensure safe, affordable and convenient transportation modes for residents and businesses within Madera.

**ALTERNATIVES:**

As an alternative, the Council may elect to reject the Notice of Acceptance of the Project. Rejection of the Notice of Acceptance which will result in staff's inability to release retention funds and closing the Project.

**ATTACHMENTS:**

1. Notice of Completion
2. Location Map
3. Pictures of improvements

**ATTACHMENT 1**

Notice of Completion

Recording Requested by:  
**City of Madera**

And When Recorded, Mail to:  
**City of Madera – City Clerk**  
**205 W. 4<sup>th</sup> Street**  
**Madera, CA 93637**

\_\_\_\_\_  
Space above this line for Recorder's Use  
Fee Waived per Section 27383 & 27388.1(a)(2)(D) of the Government Code – No Document Tax Due \$ -0-

**NOTICE OF COMPLETION**  
Corporation

**NOTICE IS HEREBY GIVEN THAT:**

1. The undersigned is owner of the interest or estate stated below in the property hereinafter described.
2. The full name of the undersigned is **City of Madera.**
3. The full address of the undersigned is **205 W. 4<sup>th</sup> Street, Madera, CA 93637.**
4. The nature of the title of the undersigned is: In fee \_\_\_\_\_  
(If other than fee, strike "In fee" and insert, for example, "purchaser under contract of purchase" or "lessee".)
5. The full name and full addresses of all persons, if any, who hold title with the undersigned as joint tenant or as tenants in common are:

<u>Name</u>	<u>Address</u>
_____	_____

6. A work of improvement on the property hereinafter described was completed on \_\_\_\_\_
7. The name of the original contractor, if any, for such work of improvement was: \_\_\_\_\_  
(If no contractor for work of improvements as a whole, insert "none".)

8. The full name(s) and address(es) of the transferor(s) of the undersigned is(are):

<u>Name</u>	<u>Address</u>
_____	_____

9. The property on which said work of improvement was completed is in the City of **Madera**, County of **Madera**, State of California, and is described as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. The street address of said property is \_\_\_\_\_  
(If no street address has been officially assigned, insert "none".)

**(Signature of Owner named in Paragraph 2)**

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Keith Brent Helmuth, P.E.  
City Engineer

**State of California  
County of Madera**

Keith Brent Helmuth, being duly sworn says: He is the City Engineer of the City of Madera, the corporation that executed the foregoing notice as owner of the aforesaid interest or estate in the property therein described; that he makes this verification on behalf of said corporation; that he has read said notice and knows the contents thereof, and that the facts herein stated are true.

**(Signature of Officer)**

\_\_\_\_\_  
Keith Brent Helmuth, P.E.  
City Engineer

The notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy or validity of that document.

**State of California  
County of Madera**

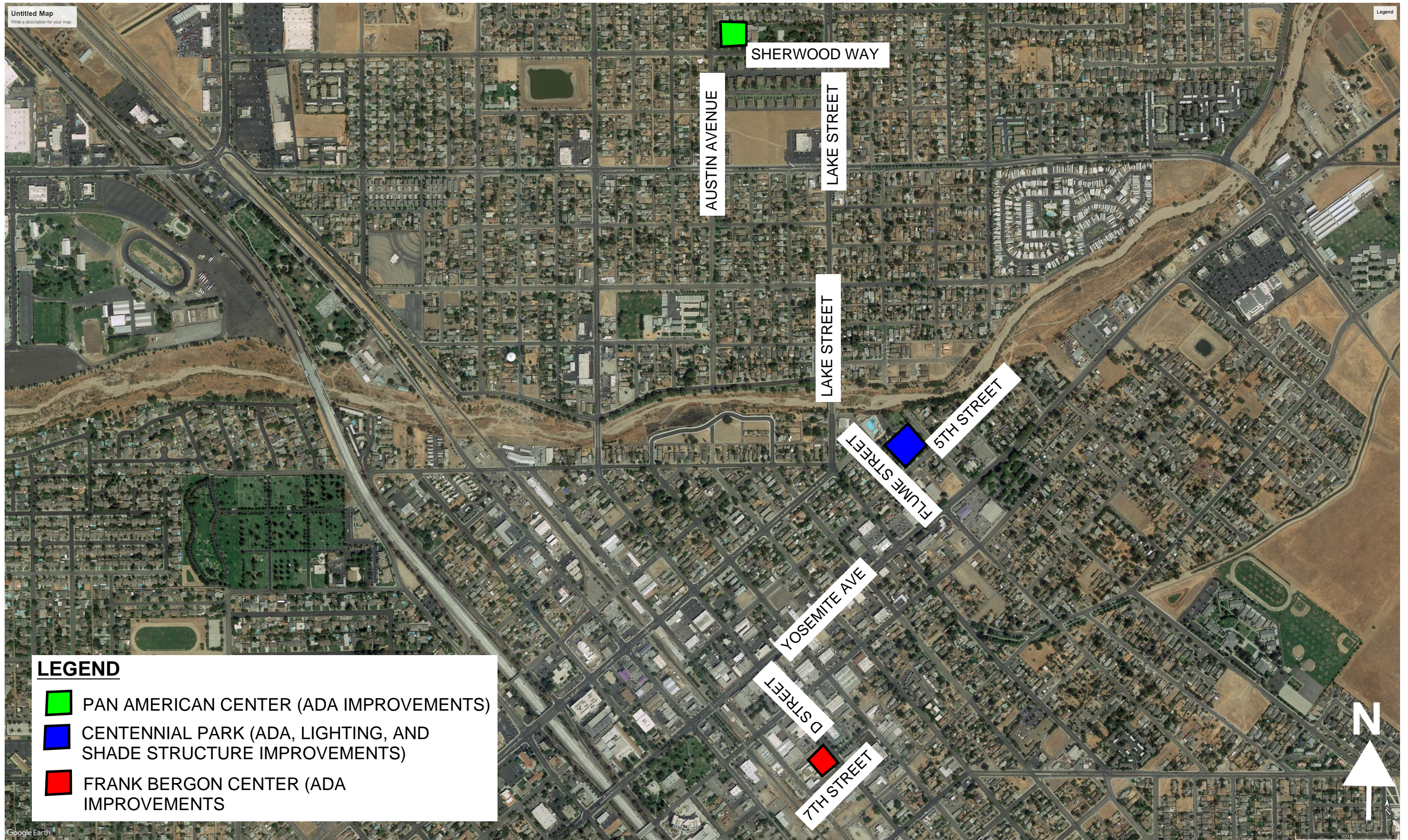
Subscribed and sworn to (or affirmed) before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 by Keith Brent Helmuth, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

\_\_\_\_\_  
Alicia Gonzales  
City Clerk

**ATTACHMENT 2**

Location Map

# LOCATION MAP





**ATTACHMENT 3**

Pictures



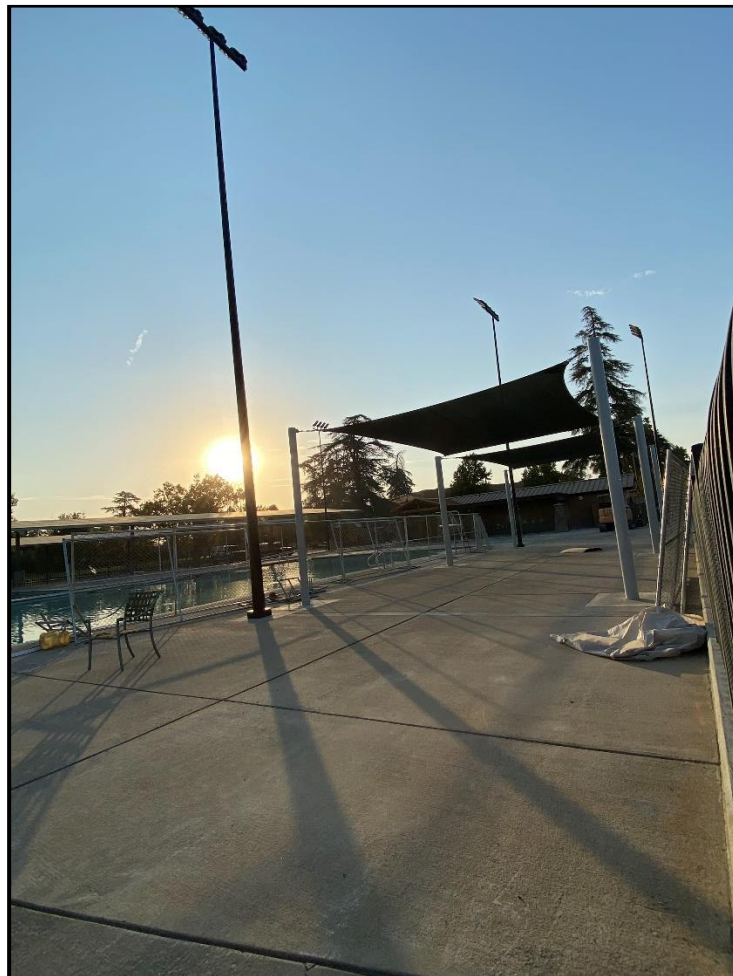
*Figure 1 – New Concrete ADA Parking Stall at Pan American Center*



*Figure 2 – New Concrete ADA Ramp and Parking Stall at Pan American Center*



*Figure 3 – New Concrete ADA Parking Stall at Frank Bergon Senior Center*



*Figure 4 – New Lights and Shade Structure at Centennial Park Pool*



*Figure 5 – New LED Lights around John Wells Youth Center Building at Centennial*