

**City of Culver City, California
Agenda Item Report**

Meeting Date: 06/28/2010		Item Number: <u>C-9</u>	
CITY COUNCIL AGENDA ITEM: (1) Acceptance of Work Performed by Palp, Inc. DBA Excel Paving Company; (2) Authorization to File a Notice of Completion; and, (3) Authorization to Release the Retention Payment for the Washington Boulevard Pavement Rehabilitation Project P-838, Federal Aid No. ESPL – 5240 (023) after the Expiration of the 35-day Lien Period.			
Contact Person/Dept.: Lee Torres/PW		Phone Number: 310-253-5623	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒ Date: _____			
Public Notification: (E-Mail) Agenda and Meetings – City Council (06/23/2010); (Email) Palp, Inc. dba Excel Paving Company (06/21/10)			
Department Approval: Charles D. Herbertson (06/17/10)		City Attorney Approval: Carol Schwab (by H. Baker) (06/23/10)	
Chief Financial Officer Approval: Jeff Muir (by N. Kimball) (06/23/10)		City Manager Approval: P. Lamont Ewell (06/23/10)	
<u>RECOMMENDATION:</u> Staff recommends the City Council: (1) accept the work performed by Palp, Inc. dba Excel Paving Company for the construction of Washington Boulevard Pavement Rehabilitation Project, P-838, Federal Aid No. ESPL – 5240 (023); (2) authorize filing a Notice of Completion; and (3) authorize the release of the retention funds in the amount of \$52,337.06 after the expiration of the 35-day lien period. <u>BACKGROUND:</u> On September 21, 2009, the City Council awarded a construction contract to Palp, Inc. dba Excel Paving Company. Also the City Council authorized the City Manager to approve change orders, including the anticipated roadway excavation quantity increase of approximately \$69,000, for a total amount not-to-exceed \$137,197, if necessary. The scope of work included the removal of the roadway pavement section and placement of a new twenty-six (26) inch roadway pavement section, the replacement of PCC median curbs, and the modification of existing curb ramps to meet Americans with Disabilities Act (ADA) standards. <u>DISCUSSION:</u> Excel Paving Company successfully completed the work on December 21, 2009, as required in the executed contract dated October 2, 2009. The construction			

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management was performed by Public Works Department/Engineering Division Staff with the construction inspection and geotechnical construction inspection services provided by CBM Consulting Inc., and Zieser-Kling Consultants Inc., respectively, through the City's approved on-call contracts with engineering firms.

During the course of construction, there were several extra work and quantity adjustments that were required to complete the project. The majority of the extra work items were due to the removal of additional asphalt found under the existing roadway section that exceeded that shown in the project plans and specifications. Although pavement core samples were taken prior to the project, this area of additional asphalt thickness was not discovered until construction had commenced. There were a total of three change orders issued totaling \$136,567.60, including the pre-approved roadway excavation quantity increase of approximately \$69,000.

Due to lengthy negotiations regarding extra work issues with the contractor, staff was not able to schedule the acceptance of work immediately after completing the construction.

FISCAL ANALYSIS:

The total approved construction contract amount, including Council approved increases and contingency amount, is \$524,173. The final construction expenditure amount was \$523,369.99 with three change orders issued for this project.

Project Budget	
Funding Source	Amount
American Recovery and Reinvestment Funds (Federal Surface Transportation Program)	\$620,000
Total	\$620,000

Final Project Expenses	
Construction cost of Washington Blvd Pavement Rehabilitation Project, P-838 Federal Aid No. ESPL-5240 (023)	\$386,803.00
Change Orders	\$136,567.60
Sub-total	\$523,370.60
Construction Inspection Services	\$ 48,240.75
Geotechnical Construction Inspection Services (Observation & Testing)	\$ 33,128.00
Total	\$604,739.35

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Approximately \$15,000 in approved ARRA funds are remaining after construction and design costs. To capture that remaining amount, staff is seeking reimbursement for time spent on project management, grant submittal, compliance, and reporting requirements, and other grant related tasks that required Culver City staff time.

MOTIONS:

1. Accept the work performed by Palp, Inc. dba Excel Paving Company for the construction of Washington Boulevard Pavement Rehabilitation Project, P-838, Federal Aid No. ESPL-5240 (023); and,
2. Authorize the Director of Public Works/City Engineer to execute the Notice of Completion and file it with the Los Angeles County Recorder's office; and,
3. Authorize the release of \$52,337.06 in retention to Palp, Inc. dba Excel Paving Company after the expiration of the 35-day lien period.