



COUNCIL/AGENCY AGENDA REPORT

DATE: MAY 10, 2006  
TO: MAYOR AND TOWN COUNCIL/  
CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY  
FROM: DEBRA J. FIGONE, TOWN MANAGER/EXECUTIVE DIRECTOR  
SUBJECT: PROJECT NO. 05-22 - AWARD OF CONSTRUCTION CONTRACT FOR  
PARKING LOT 5 REPAIR AND RESURFACING  
A. ADOPT RESOLUTION DECLARING JOSEPH J. ALBANESE, INC.  
TO BE THE LOWEST RESPONSIBLE BIDDER ON THE PROJECT  
AND AWARDING A CONSTRUCTION CONTRACT IN THE  
AMOUNT OF \$239,780  
B. AUTHORIZE STAFF TO EXECUTE FUTURE CHANGE ORDERS TO  
THE CONSTRUCTION CONTRACT AS NECESSARY UP TO AN  
AMOUNT OF \$25,000  
C. AUTHORIZE BUDGET ADJUSTMENT TO TRANSFER \$39,687  
FROM CONTINGENCY (930) TO ACCOUNT (0613)

RECOMMENDATION:

1. Adopt Resolution (Attachment 1) declaring Joseph J. Albanese, Inc. to be the lowest responsible bidder on the project and awarding a construction contract (Exhibit A) in the amount of \$239,780.
2. Authorize staff to execute future Change Orders to the construction contract as necessary up to an amount of \$ 25,000.
3. Authorize budget adjustment to transfer \$39,687 from Contingency (930) to account (0613).

BACKGROUND:

This project will repair and reconstruct Parking Lot 5 located between Elm Avenue and Main Street. Upgrading this parking lot will complete the improvements planned for all of the downtown parking lots located between University and Santa Cruz Avenue.

PREPARED BY:

*John E. Curtis*  
JOHN E. CURTIS  
Director of Parks and Public Works

Reviewed by: RSJ Assistant Town Manager OK Attorney \_\_\_\_\_ Clerk Administrator \_\_\_\_\_  
Finance SC Community Development \_\_\_\_\_ Revised: 5/11/06 9:50 am

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MAYOR AND TOWN COUNCIL/

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Work on this project will include the removal of the existing asphalt surface, repair of the base failures, and placement of an asphalt overlay on the lot's surface. Prior to paving, other planned improvements include repairs and replacement of damaged sections of curbs, new irrigation lines to the planters and a new planter island to be installed that improves the appearance of the lot without reducing any parking spaces.

This project was originally advertised and went out to bid last month. The bids received at that time were rejected due to some bidding errors, and Council authorized that the project be rebid.

DISCUSSION:

Staff has worked closely with the merchants adjacent to Parking Lot 5, to not only inform them about the project, but also to solicit their input to help determine the best construction period that would have the least amount of inconvenience or impact to them. The construction schedule for this project will be from Monday, May 22<sup>nd</sup> through Sunday, May 28<sup>th</sup>, 2006, as follows:

The parking lot will be completely closed until the project is finished. The contractor will work on the removal of the lot's surface and begin preparation for the new pavement. During the week while the parking lot is closed, arrangements will be made with the garbage disposal company for pick up of the garbage according to their regular schedule so there will not be any interruption of that service. The sidewalk along Parking Lot 5 on Main Street will also be reconstructed with the "Villa Hermosa" style sidewalk while Parking Lot 5 is closed, a sensible addition of work during Parking Lot 5's closure, as no vehicular traffic will be using the driveway to Main Street at that time.

In addition, accommodations have been made to designate two specific areas for delivery for the merchants adjacent to Lot 5: one location will be on the top deck of Parking Garage 4 near Elm Street, and the other delivery zone will be on Main Street at the western corner of North Santa Cruz Avenue. The large "Cat-struction Cat" sign holding a "Deliveries Only" sign will help identify the two temporary delivery zones. Additionally, parking restrictions will be relaxed on Parking Garage No. 4 during the construction period. Staff will continue to work closely with the merchants to ensure that their needs are accommodated and that the parking lot is resurfaced expeditiously and successfully.

Sealed bids for the Parking Lot 5 Repair and the Resurfacing project were received by the Clerk Administrator of the Redevelopment Agency on May 10, 2006. Three (3) bids were submitted and a summary of the bids received is attached (Attachment 2).

Staff has carefully checked all of the bids received, including references, and has determined that Joseph J. Albanese, Inc. is the lowest responsive bidder. It is recommended that the Council/Agency adopt the attached Resolution declaring Joseph J. Albanese, Inc. to be the lowest responsible bidder on the project and award a construction contract to this firm in the amount of \$239,780.

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Further, it is recommended that the Council/Agency authorize staff to execute future Change Orders to the construction contract up to an amount of \$25,000. Given the variables associated with this type of construction and the amount of the recommended contract, staff should be able to manage the construction work and the change order amount is adequate to cover the cost of unforeseen circumstances that may arise during the course of construction, and/or for additional quantities of work that may exceed those included in the awarded contract. Changes to the project scope of work will be brought to the Council for approval prior to construction.

ENVIRONMENTAL ASSESSMENT:

This project is Categorically Exempt pursuant to Sections 15301(c) and 15304(b) of the State CEQA guidelines.

FISCAL IMPACT:

The adopted Capital Improvement Program contains an available balance of \$225,093 in the Parking Lot 5 Project Budget. Therefore, a transfer of \$39,687 from the RDA Contingency fund is needed to provide sufficient funding for this project, as follows:

Parking Lot 5 Improvements Engineering Project # 05-22					
	Available Budget Funding	Expended/ Encumbered To Date	Transfer to 930-0613	Amount of Contract	Balance of Account Account
FY 2005/06 Fiscal Impact					
930-0613-Parking Lot	250,000	24,907		225,093	-
930 Contingency	40,889		39,687	39,687	1,202
<b>TOTALS</b>	<b>290,889</b>	<b>24,907</b>	<b>39,687</b>	<b>264,780</b>	<b>1,202</b>
<b>TOTAL EXPENDITURES BY CATEGORY:</b>					
Staff Labor					
Materials					
Construction Estimate				239,780	
Change Orders				25,000	
<b>TOTALS</b>				<b>264,780</b>	

CONCLUSION:

Staff recommends that the Council/Agency accept the staff recommendations noted above and adopt the attached resolution.

Attachments:

1. Resolution awarding construction contract with Joseph J. Albanese, Inc. (with Exhibit A) Construction Contract
2. Bid Summary

## RESOLUTION

RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF LOS GATOS  
AWARDING A CONSTRUCTION CONTRACT TO  
JOSEPH J. ALBANESE, INC.

FOR PROJECT #05-22 - PARKING LOT 5 REPAIR AND RESURFACING

**WHEREAS**, bids were sought in conformance with State and Town/Redevelopment Agency law for Project #05-22 - Parking Lot 5 Repair and Resurfacing; and

**WHEREAS**, Joseph J. Albanese, Inc. submitted the lowest responsible bid which the Town Council/Agency deems to be responsive to the Town's solicitation dated in April, 2006.

**WHEREAS**, public improvements are of benefit to the project area or the immediate neighborhood of the project area; and

**WHEREAS**, no other reasonable means of financing such public improvements are available to the community; and

**WHEREAS**, the Redevelopment Agency's contribution to the cost of the public improvement will assist in elimination of one or more blighting conditions in the project area; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council/Redevelopment Agency of the Town of Los Gatos, County of Santa Clara, State of California, that Joseph J. Albanese, Inc. is declared to be the lowest responsible bidder for Project #05-22 - Parking Lot 5 Repair and Resurfacing; and;

**BE IT FURTHER RESOLVED**, that the Town Manager/Executive Director is hereby authorized and directed to execute a construction contract (Attached as Exhibit A) for said project on behalf of the Town/Agency in the amount of \$239,780.

**BE IT FURTHER RESOLVED**, that the staff is authorized to execute future change orders, as necessary, up to an amount of \$ 25,000.

**PASSED AND ADOPTED**, at a regular meeting of the Town Council/Redevelopment Agency of the Town of Los Gatos, California, held on the 15th of May, 2006 by the following vote:

**COUNCIL/AGENCY MEMBERS:**

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

**SIGNED:       MAYOR OF THE TOWN OF LOS GATOS/  
                  CHAIR OF THE REDEVELOPMENT AGENCY  
                  LOS GATOS, CALIFORNIA**

**ATTEST:**

**CLERK ADMINISTRATOR/SECRETARY OF THE REDEVELOPMENT AGENCY  
TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA**

## CONTRACT

THIS AGREEMENT is between the Town of Los Gatos Redevelopment Agency (hereinafter referred to as "Owner") and **Joseph J. Albanese, Inc.** (hereinafter referred to as "Contractor"). Owner and Contractor, for the consideration hereinafter named, agree as follows:

### A. SCOPE OF WORK

Contractor shall furnish all materials and perform all of the work for the construction of **Project 05-22 - Parking Lot 5 Repair and Resurfacing** in accordance with the Contract Documents.

### B. CONTRACT PRICE

As full compensation for furnishing all materials and for doing all the work contemplated and embraced in this Contract, also for all loss or damage arising out of the nature of the work aforesaid, or from the actions of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by Owner, and for all risks of every description connected with the Work, also for all expenses incurred by or in consequence of the suspension or discontinuance of work, and for well and faithfully completing the Work, and the whole thereof, in the manner and according to the Contract Documents, Owner shall pay two hundred thirty nine thousand, seven hundred and eighty dollars (\$239,780), which shall supersede any other amount specified in the Contract Documents.

### C. CONTRACT DOCUMENTS

All rights and obligations of Owner and Contractor are fully set forth and described in the Contract Documents. All parts of the Contract Documents are intended to be correlated so that any work called for in one part and not mentioned in the other, or vice versa, is to be executed the same as if mentioned in all said documents. The Contract Documents are defined in Part I, Section 1-1.01(A) of these Specifications and are incorporated herein by reference the same as though set out in full.

### D. BEGINNING OF WORK

Following the execution of this Contract and the approval of bonds and insurance policies and certificates, Owner shall issue a *Notice to Proceed* with the Work. Commencing work or the entrance of equipment or materials on the site of the Work by Contractor before receipt of the *Notice to Proceed* is at the sole risk and expense of Contractor, and the Contractor shall be fully liable for any damage or injury sustained by Owner or third persons resulting therefrom.

### E. TIME OF COMPLETION

The Work called for herein shall be fully completed by May 28, 2006.

**F. CORRECTION OF WORK AFTER ACCEPTANCE AND FINAL PAYMENT BY TOWN/AGENCY**

Contractor shall remedy any defects due to faulty materials and/or workmanship and pay for any damages to other work and/or existing facilities resulting therefrom which shall appear within a period of 2 years from the date of recording of the *Notice of Completion*.

**G. LIQUIDATED DAMAGES**

The undersigned has reviewed and is thoroughly familiar with the appropriate sections of the Contract and Part I, Section 8-1.03 of these Specifications pertaining to liquidated damages.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**TOWN OF LOS GATOS, by:**

**CONTRACTOR, by:**

\_\_\_\_\_  
Debra J. Figone  
Town Manager/Executive Director

\_\_\_\_\_  
(Signature)

**RECOMMEND BY:**

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
John E. Curtis  
Director of Parks and Public Works

\_\_\_\_\_  
(Address, City, State, Zip)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
(Contractor's License Number)

\_\_\_\_\_  
Orry P. Korb  
Town Attorney/General Counsel

**ATTEST:**

\_\_\_\_\_  
Marlyn Rasmussen  
Clerk Administrator/Secretary of the  
Redevelopment Agency

Town of Los Gatos Parks and Public Works Department  
 Parking Lot 5 Improvement Project #05-22  
 Certified Bid Tabulation Bid opening: May 10, 2006 at 10:00 A.M. at the Civic Center

				Engineers Estimate		Joseph J. Albanese, Inc. PO Box 667 Santa Clara, CA 95052		Calhoun Brothers 400 Reed St., Ste. A Santa Clara, CA 95051		El Camino Paving PO Box Sunnyvale, CA 94088	
Item No.	Description	Quantity	Unit	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
BASE BID SUMMARY											
1	Remove Existing A/C	42,000	SF	0.60	25,200.00	0.45	18,900.00	0.20	8,400.00	0.53	22,260.00
2	Misc. Demolition of Existing Curbs, Gutters, Walks & Concrete	1	LS	19,000.00	19,000.00	6,000.00	6,000.00	14,000.00	14,000.00	24,335.00	24,335.00
3	Remove Access Parking Sign	1	EA	350.00	350.00	275.00	275.00	500.00	500.00	190.00	190.00
4	Sawcut & Remove 3LF Wall Including Finish Surface	1	EA	2,000.00	2,000.00	1,600.00	1,600.00	1,500.00	1,500.00	2,500.00	2,500.00
5	Adjust Boxes to New Finish Grade	1	LS	2,000.00	2,000.00	4,570.00	4,570.00	2,000.00	2,000.00	625.00	625.00
6	Relocate Sanitary Sewer Cleanout and Riser	1	EA	1,500.00	1,500.00	800.00	800.00	1,500.00	1,500.00	282.00	282.00
7	Install H20 Electrical Box Lids	2	EA	950.00	1,900.00	1,820.00	3,640.00	1,500.00	3,000.00	1,000.00	2,000.00
8	Install New A/C (6")	41,500	SF	3.50	145,250.00	3.03	125,745.00	3.60	149,400.00	3.46	143,590.00
9	Re-Compact Subgrade (12")	41,500	SF	0.50	20,750.00	0.11	4,565.00	0.20	8,300.00	0.23	9,545.00
10	Install Vertical Curb	210	LF	40.00	8,400.00	57.00	11,970.00	50.00	10,500.00	52.50	11,025.00
11	Install Curb & Gutter	85	LF	100.00	8,500.00	69.00	5,865.00	100.00	8,500.00	190.00	16,150.00
12	Install Case C Access Ramp/Curb & Gutter	2	EA	3,750.00	7,500.00	4,550.00	9,100.00	2,500.00	5,000.00	4,675.00	9,350.00
13	Install Access Ramp/Curb & Gutter	1	EA	3,750.00	3,750.00	4,500.00	4,500.00	2,500.00	2,500.00	4,875.00	4,875.00
14	Install Concrete Walk	70	SF	35.00	2,450.00	39.00	2,730.00	60.00	4,200.00	32.00	2,240.00
15	PVC Irrigation Lines (1" & 2")	540	LF	8.00	4,320.00	7.00	3,780.00	20.00	10,800.00	12.50	6,750.00
16	Striping & Legends Including Repainting Curbs	1	LS	5,250.00	5,250.00	3,200.00	3,200.00	7,000.00	7,000.00	8,900.00	8,900.00
17	Install 7 Access. Parking Signs on 5 Posts	7	EA	310.00	2,170.00	275.00	1,925.00	500.00	3,500.00	490.00	3,430.00
18	CI II AB Fill Material as Needed (Estimate)	150	CY	45.00	6,750.00	73.00	10,950.00	40.00	6,000.00	42.00	6,300.00
19	Remove and Install Villa Hermosa Driveway and Sidewalk	950	SF	30.00	28,500.00	20.70	19,665.00	40.00	38,000.00	24.00	22,800.00
				\$295,540.00		\$239,780.00		\$284,600.00		\$297,147.00	

This certifies that all bids were received and opened on May 10, 2006, and that this is a copy of the bid tabulation with bids corrected for errors in addition & multiplication. By:

Attachment 2

