

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal  
From: Keith G. Jones  
Dept.: City Manager  
Dept.: Public Works  
Subject: STREET REHABILITATION (OVERLAY) 2006/07 AND 2007/08  
Date: October 14, 2008  
IFB NO. 01-1135  
ACCEPT PROJECT AS COMPLETE

OBJECTIVE

For the City Council to accept the above project as complete and authorize the City Manager and City Clerk to execute the Notice of Completion of Public Improvement and Work.

BACKGROUND

On November 26, 2006, City Council awarded a contract to All American Asphalt for the Street Rehabilitation (Overlay) for fiscal year 2006/07 and 2007/08 in the amount of \$1,774,114.

DISCUSSION

The contractor, All American Asphalt, has completed the overlay project in accordance with the plans, specifications and other contract documents. Staff has determined that it is appropriate at this time to file a Notice of Completion for the project.

Change Notice No. 1 dated April 23, 2007, in the amount of \$60,256; Change Notice No. 2 dated April 23, 2007, in the amount of \$31,093.88; and Change Notice No. 3 dated July 17, 2008, in the amount of \$96,161, increased the overall contract to a new amount of \$1,961,624.88.

Original Contract	\$1,774,114.00
Change Notice No. 1	\$ 60,256.00
Change Notice No. 2	\$ 31,093.88
<u>Change Notice No. 3</u>	<u>\$ 96,161.00</u>
Total	\$1,961,624.88

Value of work completed to date	\$1,961,624.88
Less 10% retention	\$ 196,162.48
Net amount due	\$1,765,462.40
<u>Less progress payments</u>	<u>\$1,765,462.40</u>
Amount due	- 0 -

FINANCIAL IMPACT

Payments for this contract in the amount of \$1,765,426.48 were dispersed through the 2006/2007 and 2007/2008 fiscal year(s) Public Works Department budget. Retention in the amount of \$196,162.40 was encumbered.


COMMUNITY VISION

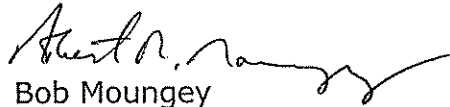
This project is consistent with the community vision for maintaining and improving the transportation system in the City to ensure the safe, efficient flow of traffic.

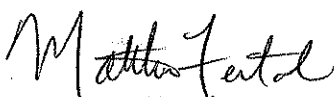
RECOMMENDATION:

It is recommended that City Council:

- Accept the project as complete and authorize the City Manager and City Clerk to execute the Notice of Completion of Public Works Improvement and Work.
- Authorize the Finance Director to release the retention payment when appropriate to do so.

  
KEITH G. JONES  
Public Works Director

  
By: Bob Moungey  
Public Works Supervisor

**Recommended for Approval**  
  
Matthew Fertal  
City Manager

Attachment: Notice of Completion

WHEN RECORDED MAIL TO:

CITY CLERK  
CITY OF GARDEN GROVE  
P. O. BOX 3070  
GARDEN GROVE, CA 92642

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NOTICE OF COMPLETION  
OF PUBLIC IMPROVEMENT AND WORK

NOTICE IS HEREBY GIVEN that the City of Garden Grove, Orange County, California, has caused a public improvement, to wit: Furnish all labor, material, and equipment for Street Rehabilitation (Overlay) 2006/07 & 2007/08 to be constructed upon the property hereinafter described. The contract for furnishing of all plant, labor, services, materials, and equipment, and all utilities and transportation, including power, fuel, and water, and performing all work necessary to construct and complete, in a good and workmanlike manner in strict accordance with the specifications, plans, and drawings therefore on file in the office of the City Clerk of the City of Garden Grove, for the construction, installation, and completion of the above-described public improvement and work, was heretofore made and entered into with All American Asphalt, on the 28th day of November, 2006, and filed for record in the office of the City Clerk of the City of Garden Grove; that the work upon said public improvement has been completed, and that the Public Works Director, Keith G. Jones has notified the City Council that he has made and completed a final inspection of the materials furnished and installed and the work performed in the construction, installation, and completion of said public improvement hereinabove more particularly described and set forth, and has certified in writing to the City Council that all the provisions of the contract and contract documents for the furnishing of all plant, labor, services, materials, and equipment, and the performing of all work necessary for the construction, installation, and completion of said public improvement above described have been fully complied with to his satisfaction as required by the contract document; that final acceptance of the construction, installation, and completion of said public improvement above described was made on the 18th day of July, 2008; that the nature of the title to said property of said City of Garden Grove is as follows: That is to say, it owns said public improvement in fee except the right-of-way upon which it is constructed, and that it owns an easement upon, over, and along said right-of-way for the purpose of the construction, installation, and completion of said public improvement hereinabove referred to and on which said public improvement is situated is described as follows, to wit:

NAME OF SURETY on Labor and Material Bond is: *Fidelity and Deposit Company of Maryland Bond #088 70 006*

DATED this \_\_\_\_\_ day of \_\_\_\_\_

CITY OF GARDEN GROVE

By: \_\_\_\_\_  
City Manager of the City of Garden Grove

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Garden Grove

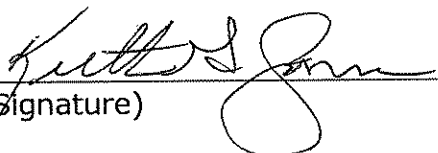
STATE OF CALIFORNIA  
COUNTY OF ORANGE

I am the Public Works Director of the City of Garden Grove.

I have read the foregoing Notice of Completion of Public Improvement and Work, and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters, which are therein stated upon my information or belief, and as to those matters I believe to be true.

I certify (or declare), under penalty of perjury, that the foregoing is true and correct.

Executed on \_\_\_\_\_ at Garden Grove, California.

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