

- 6.4.** c. Approve Acceptance of Work and Filing Notice of Completion for Street Rehabilitation Project (FY23-24) Project (CIP 301-716)



DATE: May 19, 2025

TO: Mayor and Members of the City Council

VIA: Stefan Chatwin, City Manager
Marlene Subhashini, Assistant City Manager

FROM: Andrew Brozyna, Public Works Director
Laura Galli, Engineering Manager
Justin Lai, Senior Civil Engineer
Amy Zhou, Assistant Engineer

DEPARTMENT: Public Works

SUBJECT: STREET REHABILITATION AND PARK PATHWAY
RESTORATION PROJECT (2023-24) CIP 301-716 - NOTICE OF
COMPLETION

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution accepting the work performed by G. Bortolotto & Company, Inc. (Bortolotto) for the construction of CIP 301-716 Street Rehabilitation and Park Pathway Restoration Project (2023-24) and directing the City Clerk to file the Notice of Completion (NOC).

EXECUTIVE SUMMARY

CIP 301-716 consisted of street rehabilitation and pavement maintenance on E. 3rd Ave and Edgewater Blvd and paver restoration work on E. Hillsdale Blvd at Center Park Ln. Work included the installation of new curb ramps in conformance with the Americans with Disabilities Act (ADA), signage, striping, and utility adjustments. The work has been completed in conformance with the contract documents by Bortolotto within the project budget.

Unused funds will be returned to the appropriate originating funds. It is recommended that the City Council accept the work and direct the City Clerk to file the NOC.

BACKGROUND

At the April 15, 2024, meeting, the City Council adopted City Resolution No. 2024-26 approving the plans and specifications for CIP 301-716 and authorizing the call for bids.

City Resolution No. 2024-70 adopted on July 15, 2024, approved the execution of a construction contract with G. Bortolotto & Company, Inc. in the amount of \$1,989,541.55 for CIP 301-716 and established a project contingency of \$200,000. Along with the construction contract, CSG Consultants (CSG) was awarded a contract for \$198,940 with a contingency amount of \$20,000. CSG assisted with inspection services, submittal review, material testing, and construction support throughout the project.

Construction began in September 2024 and was substantially completed in December 2024. Due to unsatisfactory work during the first installation, corrective work for the paver restoration scope was required. The corrective work was completed in March 2025. Day-to-day construction management and inspection services were performed by in-house staff and CSG. The contractor has completed all punch list items of work and the final invoice for the work was received in April 2025.

ANALYSIS

The scope of work for CIP301-716 consisted of:

Street Rehabilitation & Pavement Maintenance

- Edgewater Boulevard, south of Beach Park Boulevard to Baffin Street (digouts, grind and overlays, and slurry seal)
- East 3rd Avenue, Western City limit to Bayside Towers (digouts, grind and overlays, and slurry seal)

Additional Roadway Improvements

- Rehabilitation of the pavers and bituminous layer at E. Hillsdale Boulevard and Center Park Lane intersection.
- Yield sign installation at Rectangular Rapid Flashing Beacon (RRFB) crosswalks on Beach Park Blvd, along the levee.

During the project, four (4) contract change orders were issued, resulting in a net credit of \$121,826.02 to the City. Contract Change Orders #1, 2, and 3 (CCOs #1, 2, 3) addressed increases in quantities for items installed in the field that were higher than originally shown on the bid schedule. The additional increases were due to estimation adjustments and opportunities to provide additional rehabilitation that was not addressed during the design phase. CCO #1 funded additional linear footage of concrete curb and gutter, as well as increased square footage of 2.5-inch asphalt concrete grind and overlay of asphalt concrete. CCO #2 primarily funded additional concrete work and striping. Asphalt concrete work was also included in CCO#2 to

repair a sinkhole that was encountered during paving operations. CCO #3 funded increases in striping quantities.

In addition to bid quantity adjustments, CCO #2 addressed corrections to the Levee and Bay Trail facilities, including the revision of pedestrian logo orientations and installation of additional striping to increase safety and awareness of path usage. The levee improvements were separately funded by the Levee Project Budget CIP 327-657.

The final CCO #4 funded the corrective work for the installation of the decorative pavers at the intersection on E. Hillsdale Blvd at Center Park Lane. Given the partial responsibility of the contractor and the unsuccessful initial installation, staff and the Construction Manager engaged in multiple rounds of negotiation with the contractor to reach a 50 percent cost reduction in reinstallation costs. Additionally, CCO #4 included adjustments to the quantities contained in the original contract to reflect work not performed or removed from the scope of the project. The quantities were modified based on existing field conditions and alternative design solutions to reduce project costs.

Given that Bortolotto has completed its work in conformance with the contract documents, it is recommended that the City Council accept the work and direct the City Clerk to file the NOC.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Categorically Exempt pursuant to CEQA Guidelines Section 15061(b)(3) and 15301(c)
– Existing Facilities

FISCAL IMPACT

The following is the project expenditure summary:

Project Budget

CIP 301-716	\$2,678,247.48
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Construction Contract Expenses

Contract Agreement with G. Bortolotto & Company, Inc.	\$ 1,989,541.55
CCO #1 – Curb and Gutter Replacement and AC Grind/Overlay	\$ 13,427.00
CCO #2a – Concrete Work, Sinkhole Repair, and Striping	\$ 25,199.20
CCO #2b – Levee/Bay Trail Striping Improvements (funded by CIP 327-657 – excluded from 716 Budget)	\$ 11,865.00
CCO #3 – Thermoplastic Striping	\$ 7,291.00
CCO #4 – Paver Restoration and Quantity Adjustment for Work Not Performed	(\$ 179,608.22)

Total Construction Contract	\$ 1,867,715.53
Total Construction Contract – Excluding Levee Scope	\$ 1,855,850.53
Other Project Related Expenses	
Consultant/Designer – BKF Engineers	\$ 144,451.75
Anticipated Invoice for Record Drawings	\$ 416.25
Construction Management Services – CSG Consultants	\$ 145,151.00
Advertisement/Miscellaneous Expenses	<u>\$ 4,090.89</u>
Total Other Project Related Expenses	\$ 294,109.89
Total Project Expenses to date	\$ 2,161,825.42
Total Project Expenses to date (excluding Levee Scope)	\$ 2,149,960.42
Project Budget Balance	\$ 528,287.06

The contract work has been completed and the NOC can now be filed. Tonight's action will establish the official date of completion of the work performed by Bortolotto, formalizing the City's acceptance of the contract work and allowing final payment to the contractor to be made. The project budget balance (unused funds) will be returned to the respective originating funds. Below are the original funding sources:

- \$2,000,000 – Fund #102 – Measure “A”
- \$678,247.48 – Fund #301 – General Fund – Developer Impact Fees

The project budget balance is returned in the order of the least to the most restrictive funds. The unused funds will be used to fund future projects including this year's pavement rehabilitation project.

CITY COUNCIL VISION, MISSION, AND VALUE/PRIORITY AREA

Facilities and Infrastructure

ATTACHMENTS:

Attachment 1 – Resolution

Attachment 2 – Notice of Completion

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY ACCEPTING THE WORK BY G. BORTOLOTTO & COMPANY, INC. FOR CIP 301-716 STREET REHABILITATION PROJECT AND PARK PATHWAY RESTORATION PROEJCT (2023-2024) AND DIRECTING THE CITY CLERK TO FILE THE NOTICE OF COMPLETION; (CEQA STATUS: FOUND TO BE EXEMPT PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3) AND 15301(C)-EXISTING FACILITIES)

CITY OF FOSTER CITY

WHEREAS, the Public Works Director/City Engineer has filed with the City Clerk the Notice of Completion for the work known as CIP 301-716 Street Rehabilitation Project and Park Pathway Restoration Project (2023-2024) located in the City of Foster City, situated in San Mateo County, California; provided to be done under and pursuant to the contract documents and agreement between the City of Foster City and G. Bortolotto & Company, Inc. dated July 15, 2024; and

WHEREAS, it appears to the satisfaction of the City Council that said work has been completed in an acceptable manner.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Foster City does hereby authorize:

1. The acceptance of said work subject to reservation of all City's rights arising from any defective workmanship and/or materials not observed during construction being hereafter discovered and becoming known to City; and
2. The City Clerk to notarize and file for record with the County Recorder of the County of San Mateo the Notice of Completion thereof, as required by law, and file a conformed, recorded copy of said notice with the Finance Director and Public Works Director/City Engineer; and
3. The City Clerk to notify G. Bortolotto & Company, Inc. that the Construction Performance Bond No. ES00017980 from Everest National Insurance Company may be released one year following the recordation of the Notice of Completion; and
4. The City Clerk to release the Labor and Material Bond No. ES00017980 from Everest National Insurance Company, thirty-five (35) days after the date of recording of the Notice of Completion if no claims or Stop Notices have been received.

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 19th day of May 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STACY JIMENEZ, MAYOR

ATTEST:

PRISCILLA SCHAUS, CITY CLERK

NOTICE OF COMPLETION
STREET REHABILITATION PROJECT AND PARK PATHWAY RESTORATION
PROJECT 2023-2024 (CIP 301-716)

CITY OF FOSTER CITY

NOTICE IS HEREBY GIVEN that G. Bortolotto & Company, Inc. entered into a contract dated the 15th day of July 2024 for the construction of certain improvements in the City of Foster City, situated in San Mateo County, California. Said construction is known as CIP 301-716 Street Rehabilitation Project and Park Pathway Restoration Project (2023-2024) and consists of street rehabilitation, striping, signage, park pathway rehabilitation and concrete civil work.

That said work is located in the City of Foster City, situated in San Mateo County, California, and was completed on the 3rd day of March 2025.

That acceptance of said work was ordered by resolution of the City of Foster City adopted on the 19th day of May 2025.

That the name and bond number of the surety of the contractor's bond for Labor and Materials on said project is Everest National Insurance Company and Labor and Material Bond No. ES00017980.

That said work and improvements consisted of the furnishing of all labor, materials, tools, equipment, services, and incidentals required to undertake and complete CIP 301-716 Street Rehabilitation Project and Park Pathway Restoration Project (2023-2024), all in accordance with the contract documents as required by the City of Foster City and more particularly described in the agreement approved by the City Council of the City of Foster City pursuant to City Resolution No. 2024-70 adopted on the 15th day of July 2024, subject to reservation of all City rights arising from the contract documents and further, any defective workmanship and/or materials not observed during construction being thereafter discovered and known to the City.

DATED: 05/05/2025



Andrew Brozyna
Public Works Director
City of Foster City