

When Recorded Mail to:

***RA5**

City of Milpitas
455 East Calaveras Boulevard
Milpitas, CA 95035
Attention: Office of the City Clerk

Record without fee under
Section 6103 - Government Code
State of California

RESOLUTION NO. _____

A JOINT RESOLUTION OF THE REDEVELOPMENT AGENCY AND CITY COUNCIL OF THE CITY OF MILPITAS APPROVING INITIAL ACCEPTANCE OF SINGLEY AREA PAVEMENT REHABILITATION, PHASE V, PROJECT NO. 8193

WHEREAS, the City of Milpitas has heretofore entered into a Contract with Granite Construction Company, for the asphalt concrete resurfacing and roadway drainage improvements of various streets, and the City Engineer of the City of Milpitas has recommended acceptance of said improvement as completed in accordance with plans, specifications and approved change orders and correction lists, and in accordance with the final inspection of said City Engineer.

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Agency and City Council of the City of Milpitas do hereby accept said improvement as completed on this 6TH day of January 2009, and do hereby authorize and direct the City Engineer of the City of Milpitas to file a Notice of Completion in accordance with the provisions of Section 3093 of the Civil Code of the State of California, and do hereby authorize and direct the City Engineer to file a Certificate of Completion in accordance with the provisions of Section 4005 of the Government Code of the State of California, if said work was by day's labor or force account. The penal sum of the faithful performance bond securing said improvement may be reduced to the sum of \$77,245.00 upon request of principal and surety, said penal sum as reduced to apply from the date of completion and acceptance of said improvements and to extend for the balance of the term of said bond, provided that said term shall not be less than one year.

PASSED AND ADOPTED this ____ day of _____ 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, Agency Secretary/City Clerk

Robert Livengood, Chair/Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, Agency Counsel/City Attorney

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CITY OF MILPITAS

NOTICE OF COMPLETION

(Civil Code Section 3093)

NOTICE IS HEREBY GIVEN:

1. On or about June 17, 2008 City of Milpitas, a municipal corporation of the State of California, whose address is City Hall, 455 East Calaveras Boulevard, Milpitas, California, 95035 (as owner) entered into a contract for work of improvement, to wit:
2. A description of the site of which the City is owner for said work of improvement is City of Milpitas, Santa Clara County, California, more particularly described as: **Singley Area Pavement Rehabilitation Phase V, Project No. 8193**
3. The nature and interest or estate of the City as owner of said site is in fee: **Various streets**
4. The name and address of the original contractor is: **Granite Construction Company, 585 W. Beach Street, Watsonville, CA 95076**
5. A general statement of the kind of work done or materials furnished to the City is as follows: **Asphalt concrete resurfacing and roadway drainage improvements of various streets**
6. The name of the sureties upon the bond of the Contractor for said work of improvement is: **Federal Insurance Company**
7. Said work of improvement was accepted by the Milpitas City Council and the Milpitas Redevelopment Agency Board as completed on January 6, 2009

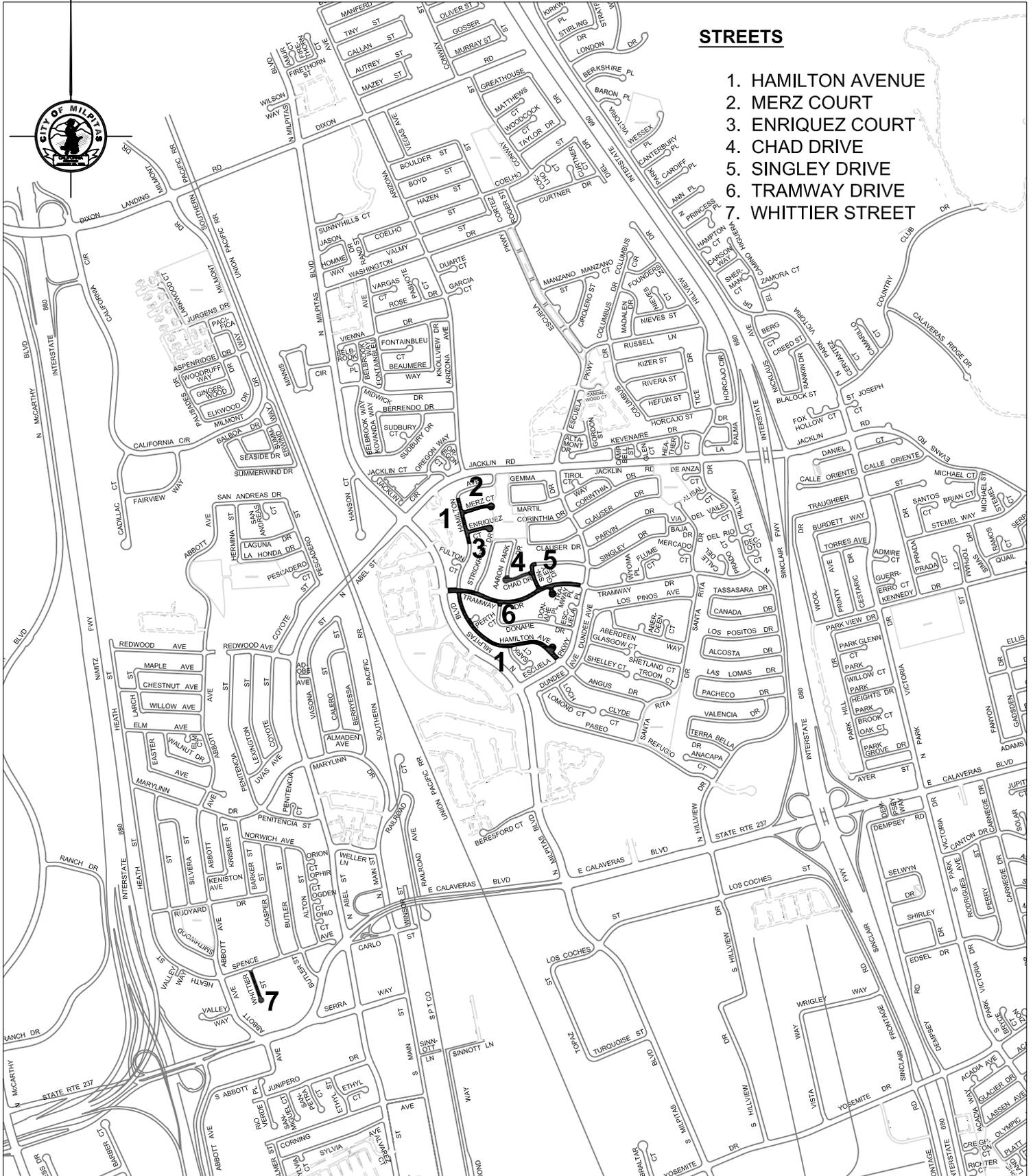
I, the undersigned, declare that I am the City Engineer of the City of Milpitas and am authorized to execute the foregoing Notice of Completion and this Verification thereof. I have read the foregoing Notice of Completion. I declare under penalty of perjury that the foregoing Notice of Completion is true and correct. Executed on _____ at Milpitas, California.

Greg Armendariz, City Engineer/PW Director
City of Milpitas

NOTE: RECORD WITHIN 10 DAYS OF ACCEPTANCE WITH COUNTY RECORDER OF SANTA CLARA COUNTY

CITY OF MILPITAS

SINGLEY AREA STREET REHABILITATION - PHASE V PROJECT NO. 8193



STREETS

1. HAMILTON AVENUE
2. MERZ COURT
3. ENRIQUEZ COURT
4. CHAD DRIVE
5. SINGLEY DRIVE
6. TRAMWAY DRIVE
7. WHITTIER STREET

LOCATION MAP



CONTRACT CHANGE ORDER

Date: December 15, 2008

To: Mr. Hassan Bitar
 Project Manager
 Granite Construction Company
 715 Comstock Street
 Santa Clara, CA 95054-3403

Project: Singley Area Rehabilitation, Phase V, Project No. 8193

Contract Change Order: Balancing
 Description: Balancing Change Order
 Ref: CP 8193-7-4237
 City Council Approval: January 6, 2009

Item No.	Description	Quantity (increase or decrease)	Unit	Unit Cost	Extension
6R	Remove PCC Driveway	136.50	SF	\$4.50	\$614.25
7R	Remove PCC Sidewalk	525.00	SF	\$2.75	\$1,443.75
8R	Remove Pavement Section	568.00	SF	\$2.23	\$1,266.64
9R	Remove PCC Curb and Gutter	-88.00	LF	\$9.50	-\$836.00
10	Remove and Reinstall Mail Box	4.00	EA	\$250.00	\$1,000.00
14R	Geotextile Filter Fabric, (Mirafi 140N or EQ.)	-623.56	SY	\$2.20	-\$1,371.83
15R	Geogrid for AC Pavement (Tensar BX 1200 or EQ.)	-623.56	SY	\$8.00	-\$4,988.48
16R	Asphalt Concrete Leveling Course	-31.25	TON	\$155.00	-\$4,843.75
17R	Base Repair (4 inches Deep)	1,621.50	SF	\$9.00	\$14,593.50
19R	Asphalt Concrete Type A	387.60	TON	\$110.00	\$42,636.00
20R	6' Wedge Cut for AC Tie-In	33,444.00	SF	\$0.17	\$5,685.48
21R	Grind for 20-Foot Conform	-3,870.00	SF	\$0.20	-\$774.00
22R	PCC Sidewalk	68.25	SF	\$9.00	\$614.25
23R	PCC Driveway	96.75	SF	\$9.50	\$919.13
24R	Aggregate Base CL. 2	-164.71	TON	\$39.50	-\$6,506.05
25R	PCC Curb and Gutter	-218.50	LF	\$31.00	-\$6,773.50
26	Underwalk Drain	-1.00	EA	\$10.00	-\$10.00
27R	4-inch Underdrain Pipe	437.00	LF	\$25.50	\$11,143.50
29	Storm Drain Inlet	1.00	EA	\$1,500.00	\$1,500.00

31	Adjust Existing Facilities to Grade - Sewer Manhole	6.00	EA	\$410.00	\$2,460.00
33	Adjust Existing Facilities to Grade - Water Valves	15.00	EA	\$315.00	\$4,725.00
34	Adjust Existing Facilities to Grade - Monuments	17.00	EA	\$315.00	\$5,355.00
35	Adjust Existing Facilities to Grade - Curb Inlet	6.00	EA	\$2,500.00	\$15,000.00
36	Pavement Delineation (Detail 23)	490.00	LF	\$2.00	\$980.00
37	Pavement Delineation (Detail 38C)	109.00	LF	\$2.00	\$218.00
38	Pavement Delineation (Pavement Legend)	-127.00	SF	\$2.75	-\$349.25
39	Thermoplastic Pavement Marking (Pavement Legend)	-76.00	SF	\$5.00	-\$380.00
40	Pavement Delineation - Traffic Stripe 12"	165.00	LF	\$2.75	\$453.75
41	Thermoplastic Traffic Stripe 12" (Stop Bar/Crosswalk)	353.00	LF	\$4.00	\$1,412.00
45	Blue Reflective Marker	2.00	EA	\$10.00	\$20.00
47	12" Perforated Pipe	9.00	LF	\$223.00	\$2,007.00
48	Exposed Aggregate Concrete	-125.00	SF	\$30.00	-\$3,750.00

TOTAL: \$83,464.39

INCREASE IN CONTRACT TIME: none

No claims for additional compensation or damages for delay under any theory whatsoever, submitted by the contractor or any subcontractor, will be allowed by the City for any delay arising from, or associated with this change order. The extension of the time for completion and the compensation specified in this change order shall be the contractor's sole remedy.

This change order constitutes full and complete compensation for all labor, equipment, materials, overhead, extended overhead and profit required to perform the changes described above in accordance with the applicable provisions of the contract documents. This change order is not effective until approved by owner.

Accepted By: _____ Date: _____
Contractor

City Project Manager: _____ City Project Inspector: _____
Initial Initial

City Approval: _____ Date: _____
City Engineer

**City of Milpitas, California
 BUDGET CHANGE FORM**

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one:				
<input checked="" type="checkbox"/> Budget Appropriation	310-2931	\$50,000	310-3941	\$50,000
<input type="checkbox"/> Budget Transfer	391- 9518193153839	50,000	391- 951819374800	50,000

Explain the reason for the budget change:

The City Council awarded the Singley Area Street Rehabilitation Phase V to Granite Construction Company on June 17, 2008. The project provides asphalt concrete resurfacing, including installation of drainage improvements in the Singley Neighborhood and surrounding areas, to eliminate water ponding in the streets due to differential settlement of concrete gutters and road pavement surfaces. The project is now complete.

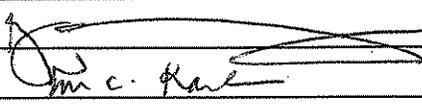
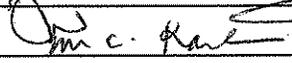
Street conditions discovered during the work required field adjustments to improve roadway drainage and to provide a smooth pavement surface, which results in changes to the bid quantities. A "balancing" contract change order in the amount of \$83,500, which will require a \$50,000 budget appropriation, is therefore requested.

Recommendations:

Approve a budget appropriation in the amount of \$50,000 from the Street Fund.

Check if City Council Approval required. Meeting Date: January 06, 2009

Itemization of funds, if needed:	Amount

Requested by:	Division Head:	Date:
	Department Head: 	Date: 12/19/08
Reviewed by:	Finance Director: 	Date: 12/19/08
Approved by:	City Manager:	Date:

Date approved by City Council, if required: _____ Confirmed by: _____