



## AGENDA REPORT

**Meeting Date:** September 1, 2009  
**Item Number:** F-7  
**To:** Honorable Mayor & City Council  
**From:** Allen Rubenstein, Project Manager  
**Subject:** ACCEPTANCE OF CONTRACT WORK FOR THE CONSTRUCTION OF THE 9333 THIRD STREET PARKING STRUCTURE BY BOMEL CONSTRUCTION COMPANY, INC. IN THE FINAL CONTRACT AMOUNT OF \$13,540,569  
**Attachments:** None

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### **RECOMMENDATION**

Staff recommends that the City Council accept the described contract work with Bomel Construction Company, Inc. and authorize the recordation of the Notice of Completion.

### **INTRODUCTION**

In accordance with the contract documents, this report requests City Council acceptance of the contract work by Bomel Construction Company, Inc., and requests authorization to record the Notice of Completion with the County Recorder.

### **DISCUSSION**

A contract was awarded to Bomel Construction Company, Inc. on June 3, 2008, on the basis of sealed competitive bids, to build a new 498-space parking structure located at 9333 Third Street. This facility was designed to provide parking for the new office building at 331 Foothill Road, the Public Works treatment plant/office building, and for the City fleet of smaller vehicles. The garage is 188,000 square feet, and contains four and one-half levels above ground and two levels below ground.

The facility includes electrical vehicle charging stalls and is designed for the future addition of solar panels on a sun shade structure at the roof level.

Field observation was performed by the Project Administration staff, independent consulting inspectors, the architect International Parking Design, and the Building and Safety Division of the Community Development Department. These reviews occurred

Meeting Date: September 1, 2009

during, and upon completion of the work, and assure that it was constructed according to, and in compliance with, the project contract documents and the applicable codes.

The project received a Certificate of Occupancy on July 28, 2009

**FISCAL IMPACT**

The City Council authorized \$14,289,000 for this project, as follows:

The original contract award .....	\$13,189,000
Contingency .....	<u>\$ 1,100,000</u>
Total authorized.....	\$14,289,000

The actual sum spent was:

The original contract award .....	\$13,189,000
Change orders during construction.....	<u>\$ 351,569</u> (2.7% of contract)
Final contract amount.....	\$13,540,569

Funds released back to the bond account .....\$748,431

The change orders were for additional work not included in the original bid, including unforeseen subterranean conditions, parkway landscaping on Third Street, and building code upgrades.

The amount paid on the contract to-date is \$ 13,290,569. A balance of \$250,000 is due to be paid 30 days after recordation of the Notice of Completion.

 David D. Gustavson   
Approved By