



## MEMORANDUM

**TO: CITY COUNCIL**

**FROM: CHRISTOPHER MAGDOSKU, PUBLIC WORKS DIRECTOR**

**BY: JILL MCPEEK, CAPITAL IMPROVEMENT PROJECT MANAGER**

**SUBJECT: CONSIDERATION OF ACCEPTANCE OF THE STROTHER PARK RAIN GARDEN PROJECT, PW 2017-02**

**DATE: MAY 23, 2017**

### **RECOMMENDATION:**

It is recommended the City Council:

1. Accept the project improvements as constructed by Christopher Scott Construction in accordance with the plans and specifications for the Strother Park Rain Garden Project;
2. Direct staff to file a Notice of Completion; and
3. Direct staff to submit a reimbursement request to the Coastal San Luis Resource Conservation District in accordance with the StormRewards Program Implementation Agreement.

### **IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:**

The amended Capital Improvement Program Budget includes \$50,000 for the subject project with 100% of the project to be paid through grant funding. The total project cost (design, construction, administration, inspection, etc.) is estimated at \$43,700. The contractor's final construction cost is \$34,955. The unused grant funds will be returned to the State Water Resources Control Board. The recommended action will result in minimal impact on staff resources.

### **BACKGROUND:**

On March 14, 2017, Council awarded a construction contract to perform the Strother Park Rain Garden project to Christopher Scott Construction for \$34,955 and authorized the Interim City Manager to approve change orders in the amount of \$3,495. The project consisted of disconnecting a storm sewer that currently drains directly to Arroyo Grande Creek and replacing it with a "rain garden" (a retention basin to filter and clean water before it returns through a pipe to the creek). The project is being funded through a Proposition 84 Storm Water Grant procured by the Coastal San Luis Resource Conservation District (CSLRCD). The CSLRCD contacted the City of Arroyo Grande regarding an eligible project that would meet the storm water improvement criteria described in the grant and this project was identified.

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**ANALYSIS OF ISSUES:**

The contractor completed the work in accordance with the approved plans and specifications within the contract timelines and under the available budget. There are no outstanding issues. Because of certain grant deadlines, all reimbursement requests must be submitted to the CSLRCD no later than May 31, 2017. Therefore, in order to capture all of the construction contract costs, staff recommends the \$1,747.75 (5%) retention that is normally withheld for 35 days in the event liens are filed be paid now as the contractor has provided prove of full payment to its one subcontractor and this will allow the City to capture these costs in the reimbursement request.

**ALTERNATIVES:**

The following alternatives are provided for the Council's consideration:

1. Approve staff's recommendations;
2. Do not approve staff's recommendations and request further information;
3. Modify staff's recommendation and approve; or
4. Provide direction to staff.

**ADVANTAGES:**

The project is complete. The project will help filter out pollutants that are carried in stormwater runoff to Arroyo Grande Creek. Accepting the improvements will allow staff to close out the project and submit a reimbursement request to the CSLRCD for the Proposition 84 grant funds.

**DISADVANTAGES:**

The disadvantage of accepting the improvements would be if subsequent deficiencies in the work are identified. However, the contract documents include a one-year warranty period for the contractor to address any construction defects that may arise.

**ENVIRONMENTAL REVIEW:**

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15308 regarding certain actions by regulatory agencies to maintain, restore, or enhance the environment.

**PUBLIC NOTIFICATION AND COMMENTS:**

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

Attachment:

1. Notice of Completion

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
CITY CLERK  
CITY OF ARROYO GRANDE  
300 EAST BRANCH STREET  
ARROYO GRANDE, CA 93420

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is owner or agent of owner of the interest or estate or the property hereinafter described as stated below.
2. The FULL NAME of the OWNER is: The City of Arroyo Grande
3. The FULL ADDRESS of the OWNER is: 300 East Branch Street, Arroyo Grande, California 93420
4. The NATURE OF THE INTEREST or ESTATE of the undersigned is: in fee
5. THE FULL NAME and FULL ADDRESS of ALL PERSONS, if any, who hold such interest or estate with the undersigned as JOINT TENANTS or as TENANTS IN COMMON are:  
NAMES                      ADDRESSES  
  
None
6. THE FULL NAMES and FULL ADDRESSES of the PREDECESSOR'S in interest of the undersigned if the property was transferred subsequent to the commencement of the work of improvements herein referred to:  
NAMES                      ADDRESSES  
  
None
7. All work of improvement on the property hereinafter described was COMPLETED April 28, 2017
8. The NAME OF THE ORIGINAL CONTRACTOR, if any, for such work of improvement is:  
Christopher Scott Construction
9. The street address of said property is: 1150 Huasna Road, Arroyo Grande, CA
10. The property on which said work of improvement was completed is in the City of Arroyo Grande, County of San Luis Obispo, State of California, and is described as follows: Strother Park Rain Garden Project, PW 2017-02

Verification of NON-INDIVIDUAL owner: I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the Public Works Director of the aforesaid interest or estate in the property described in the above notice; that I have read the said notice, that I know and understand the contents thereof, and the facts stated therein are true and correct.

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Christopher Magdosku, Public Works Director

May 23, 2017, Arroyo Grande, California

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