



**AGENDA REPORT**  
**SAN CLEMENTE CITY COUNCIL MEETING**  
 Meeting Date: September 17, 2013

Agenda Item 66  
 Approvals:  
 City Manager RLB  
 Dept. Head SP  
 Attorney \_\_\_\_\_  
 Finance JW

**Department:** Beaches, Parks & Recreation  
**Prepared By:** Aeryn Donnelly, Park Planner

**Subject:** *ACCEPTANCE AND NOTICE OF COMPLETION OF MAX BERG PLAZA PARK PLAY EQUIPMENT AND DECLARATION OF SURPLUS PROPERTY, PROJECT NO. 12724.*

**Fiscal Impact:** None. The project was completed within budget.

**Summary:** Staff recommends that the City Council issue a Notice of Completion for the successful completion of contract work for the replacement of play equipment at Max Berg Plaza Park.

**Discussion:** The Max Berg Plaza Park Playground Equipment Replacement Project included the purchase and installation of a new Age 2-5 and an Age 5-12 Universally Accessible play feature and necessary site accessibility improvements. At its regular meeting on May 21, 2013, the City Council selected GameTime c/o Great Western Playground to complete the improvements through a cooperative purchase agreement with significant cost savings. Additional project cost savings were achieved in demolition and removal of the former playground, as it was donated to the non-profit organization, Kids Around the World, to be refurbished and installed in a community in need in another country.

A detailed summary of project expenditures for the Max Berg Play Equipment Replacement Project is provided below:

Playground Equipment and Installation	\$123,416.77
<u>Poured in Place Rubberized Surfacing</u>	<u>\$26,448.00</u>
Total Project Cost	\$149,864.77

**Recommended**

**Action:**

STAFF RECOMMENDS THAT the City Council:

1. Accept the construction of the Max Berg Plaza Park Play Equipment Replacement, Project No. 12724;
2. Authorize the Mayor to execute and the City Clerk to record the Notice of Completion for Max Berg Plaza Park Play Equipment Replacement, Project No. 12724;
3. Authorize the City Clerk to release the Payment Bond & balance of Retention 35 days from the recordation of the Notice of Completion upon verification with the Beaches, Parks and Recreation Department that no liens have been levied against Game Time c/o Great Western Playground; and
4. Authorize the City Clerk to release the Performance Bond upon receipt of the Warranty Bond in the amount of 25% of the construction costs.

**Attachments:** Notice of Completion

**Notification:** None.

Exempt recording requested by the City of San Clemente per Gov. Code Sec. 6103  _____ City Clerk  When Recorded Mail To:  City Clerk City of San Clemente 100 Avenida Presidio San Clemente, CA 92672	
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Space above this line for Recorder's use

**NOTICE OF COMPLETION**

Notice is hereby given by the undersigned owner, a public entity of the State of California, that a public work of improvement has been completed as follows:

***Project title or description of work:*** Max Berg Plaza Park Playground Equipment Replacement Project

***Date of completion:*** August 14, 2013

***Name of owner:*** City of San Clemente

***Interest or estate of owner:*** Fee

***Address of Owner:*** 100 Avenida Presidio, San Clemente, CA 92672

***Name of contractor:*** Gametime c/o Great Western Park and Playground

***Street address or legal description of site:*** 1100 Calle Puente, San Clemente, CA 92672

Dated: \_\_\_\_\_

Owner: City of San Clemente

Mayor \_\_\_\_\_

STATE OF CALIFORNIA            )  
 COUNTY OF ORANGE            ) ss  
 CITY OF SAN CLEMENTE        )

I am the City Clerk of the City of San Clemente, the public entity which executed the foregoing notice, and on whose behalf I make this verification: I have read said notice, know its contents, and the same is true. I certify under penalty of perjury that the foregoing is true and correct.

City Clerk \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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