



AGENDA REPORT

CITY OF SAN CLEMENTE

CITY COUNCIL MEETING

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: March 19, 2024

Agenda Item: 10H

Submitted By: Public Works

Prepared By: Masako Hennequin, Associate Civil Engineer

Subject:

CONSIDERATION OF A RESOLUTION TO ACCEPT AND FILE A NOTICE OF COMPLETION FOR THE FY 2023 AS-NEEDED PAVEMENT REPAIRS (TRACT 852), CIP PROJECT NO. 23306

Fiscal Impact:

The total project construction cost of \$501,129 is within the approved construction budget of \$643,750.

Summary:

Before the City Council is a Resolution and Notice of Completion for the FY 2023 As-Needed Pavement Repairs (Tract 852), as shown on the Location Map (Attachment 2).

Background:

On June 6, 2023, the City Council awarded a construction contract to ONYX Paving Company, Inc. for the FY 2023 As-Needed Pavement Repairs (Tract 852). The project included asphalt pavement replacement, replacing concrete curb and gutter, sidewalk and driveway approaches, striping, and removing and replacing water meter boxes.

The project construction cost summary is as follows:

Construction	\$486,229
<u>Construction Management and Inspection</u>	<u>14,900</u>
Total Project Construction Cost	\$501,129

Council Options:

- Adopt Resolution No. 24-43, which would accept the completed FY 2023 As-Needed Pavement Repairs (Tract 852), CIP Project No. 23306.
- Modify and adopt Resolution No. 24-43.
- Continue the item with direction to provide additional information.

Environmental Review/Analysis:

This project was previously determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.

Recommended Actions:

Staff recommends that the City Council Adopt Resolution No. 24-43, which will:

1. Accept the FY 2023 As-Needed Pavement Repairs (Tract 852), CIP Project No. 23306, from ONYX Paving Company, Inc.;
2. Authorize the Public Works Director to execute and record the Notice of Completion for the FY 2023 As-Needed Pavement Repairs (Tract 852), CIP Project No. 23306; and
3. Authorize the City Clerk to release the payment bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the Contractor, ONYX Paving Company, Inc.

Attachment:

1. Resolution No. 24-43
2. Location Map
3. Notice of Completion
4. Staff Report dated June 6, 2023 (without attachments)

Notification:

None.

Attachment 1

RESOLUTION NO. 24-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING AS COMPLETE THE FY 2023 AS-NEEDED PAVEMENT REPAIRS (TRACT 852) (CIP PROJECT NO. 23306)

WHEREAS, on June 6, 2023, the City Council awarded a construction contract to Onyx Paving Company, Inc. for FY 2023 As-Needed Pavement Repairs (Tract 852), CIP Project No. 23306; and

WHEREAS, the work consisted of asphalt concrete pavement repairs, reconstructing concrete curb and gutter, curb ramps, sidewalk and driveway approaches, and replacing water meter boxes; and

WHEREAS, Onyx Paving Company, Inc. has completed the work to the satisfaction of the Public Works Director.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve as follows:

Section 1. That the above recitations are true and correct.

Section 2. That the City Council hereby accepts as complete the As-Needed Pavement Repairs (Tract 852) (CIP Project No. 23306) from Onyx Paving Company, Inc.

Section 3. That the City Council authorizes the Public Works Director to execute and the City Clerk to record a Notice of Completion for CIP Project No. 23306.

Section 4. That the City Council authorizes the City Clerk to release the payment bond for this project 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the Onyx Paving Company, Inc.

Section 5. That the City Council authorizes the City Clerk to release the performance bond for this project upon receipt of a warranty bond in a form acceptable to the Public Works Director in the amount of 25% of the total construction cost.

Section 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

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

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 24-43 was adopted at a regular meeting of the City Council of the City of San Clemente held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

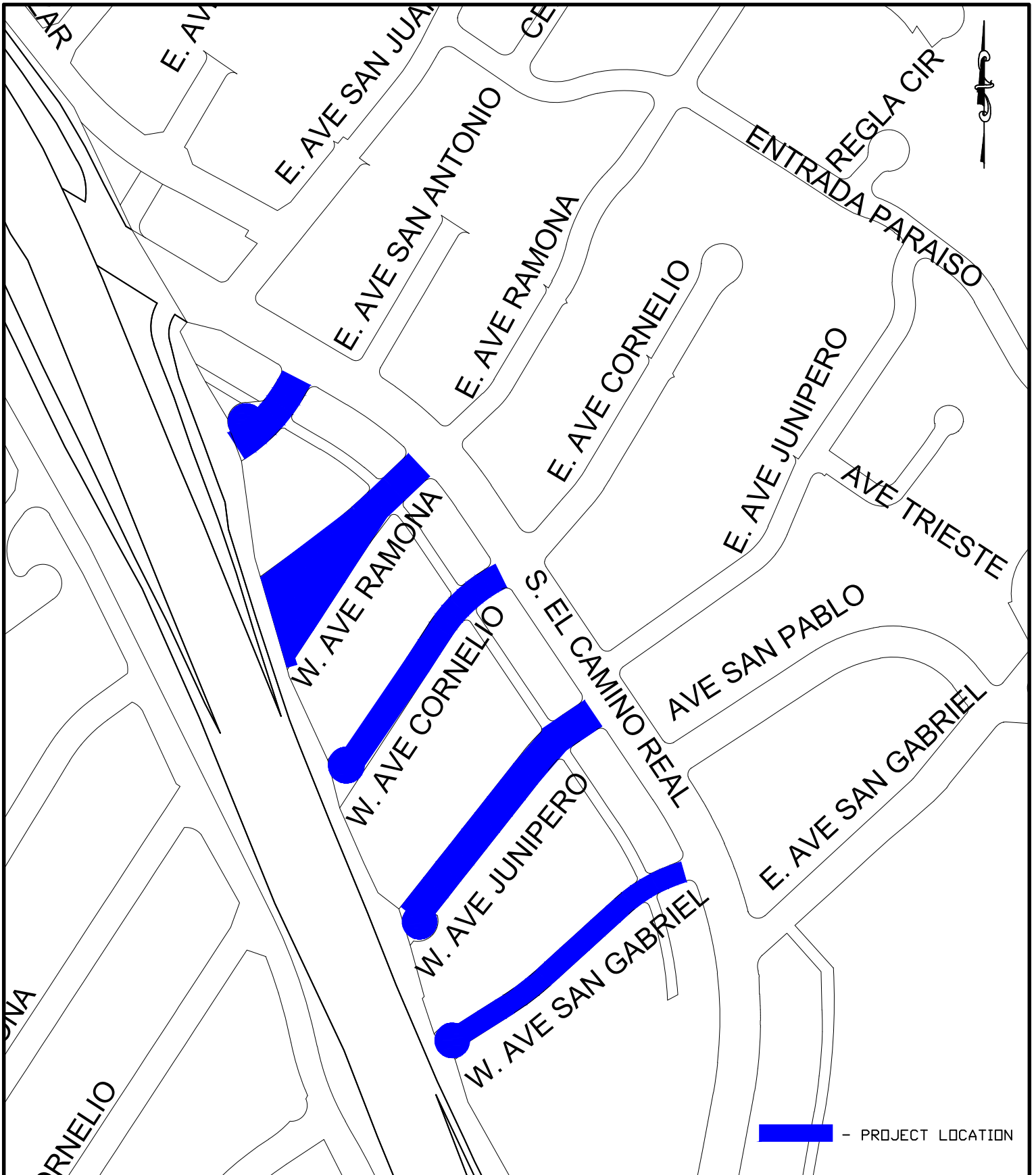
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

Approved as to form:

Elizabeth A. Mitchell, City Attorney



 - PROJECT LOCATION



CITY OF SAN CLEMENTE
 910 CL Negocio, Suite 100
 San CLEMENTE, CA 92673
 Tel (949) 361-6100
 Fax (949) 361-8316

LOCATION MAP
 FY 2023 AS-NEEDED PAVEMENT REPAIRS
 (TRACT 852)
 PROJECT No. 23306

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Recording Requested By:
City of San Clemente

When Recorded, Mail To:
Public Works Department
City of San Clemente
910 Calle Negocio
San Clemente, CA 92673

Recorded for the benefit of the City of San Clemente and exempt from recording fees pursuant to Government Code Section 27383.

Space above this line is for Recorder's Use Only

NOTICE OF COMPLETION

Notice is hereby given by the City of San Clemente, a Municipal Corporation, that a public work of improvement has been completed as follows:

1. *Project title or description of work:* FY 2023 As-Needed Pavement Repairs (Tract 852), CIP Project No. 23306.
2. *Date of completion:* January 25, 2024.
3. *Street address or legal description of the project site:* W. Avenida San Antonio (S. El Camino Real to end), W. Avenida Ramona (S. El Camino Real to end), W. Avenida Cornelio (S. El Camino Real to end), W. Avenida Junipero (S. El Camino Real to end), W. Avenida San Gabriel (S. El Camino Real to end).
4. *Name of owner:* City of San Clemente.
5. *Interest or estate of owner:* Public Facility; Owned in Fee.
6. *Address of owner:* 910 Calle Negocio, Suite 100, San Clemente, CA 92673
7. *Name and address of contractor:* ONYX Paving Company, Inc., 2890 E. La Cresta Ave. Anaheim, CA 92806.

I am the Public Works Director / City Engineer for the City of San Clemente, a Municipal Corporation, the owner of the indicated interest or estate in the property described above. I make this verification on behalf of the City of San Clemente. I have read this Notice of Completion and know its contents. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ in San Clemente, California.

Dave Rebensdorf, Public Works Director / City Engineer
City of San Clemente



AGENDA REPORT
CITY OF SAN CLEMENTE
City Council Meeting

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: 6/6/2023

Agenda Item: 7D

Department: Public Works
Prepared By Masako Hennequin, Associate Civil Engineer

Subject:
RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ONYX PAVING COMPANY, INC. FOR FY 2023 AS-NEEDED PAVEMENT REPAIRS (TRACT 852), PROJECT NO. 23306, AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER CLASS 2 (REPLACEMENT OR RECONSTRUCTION, 14 CCR SECTION 15302) OF THE STATE CEQA GUIDELINES

Summary:
Before the City Council is the approval of a construction contract with ONYX Paving Company, Inc. in an amount not to exceed \$515,000 to provide for the pavement repairs between S. El Camino Real and I-5 on the following streets: W. Ave. San Antonio, W. Ave. Ramona, W. Ave. Carnelio, W. Ave. Junipero, and W. Ave. San Gabriel as shown on the location map (Attachment 2).

Background:
This project includes asphalt pavement and concrete repair work. The pavement will be ground down and overlaid to repair localized areas and also includes removing and reconstructing deteriorated concrete curb and gutter, curb ramps, sidewalk and driveway approaches. This work also includes removing and replacing seven water meter boxes located within the sidewalk and restriping streets after the completion of pavement repairs.

Bids were opened on May 18, 2023 and the results are presented on the attached Bidder's Listing (Attachment 3). Bids ranged from \$515,000 to \$1,014,321.

The lowest responsive bidder was ONYX Paving Company, Inc. of Anaheim, California with a total bid amount of \$515,000.

Based on the low bid, the total estimated project cost is \$643,750 as summarized below:

Project Cost Summary

Construction	\$515,000
Construction Design, Management & Inspection (15%)	\$77,250
Project Contingency (10%)	\$51,500
Estimated Total Project Cost	\$643,750

As required by City policy and state law, the Contractor will be required to provide performance and

payment bonds simultaneously with execution of the construction contract (Attachment 4). Project plans and specifications are on file in the City Clerk's Office.

Council Options:

- Adopt Resolution No. 23-32, awarding the paving contract to ONYX, authorizing the City Manager to execute a construction contract an amount not to exceed \$515,000, plus a 10% project contingency of \$51,500, and finding the project categorically exempt from CEQA under Class 2 (Replacement or Reconstruction, 14 CCR section 15302) of the State CEQA Guidelines.
- Modify and adopt Resolution No. 23-32.
- Continue the item with direction to provide additional information.
- Do not award the contract or construct the pavement repairs.

Fiscal Impact:

Yes. The estimated total project cost of \$643,750 is within the approved budget amount of \$690,000. A balance transfer of \$690,000 from account number 042-848-45300-000-13326 FY 2023 Alley Rehabilitation Program to account number 042-848-43420-000-23306 FY 2023 As Needed Pavement Repairs (Tract 852) is needed to fund the project.

Environmental Review/Analysis:

This project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 2 (Replacement or Reconstruction, 14 CCR section 15302) of the State CEQA Guidelines.

Recommended Actions:

Staff Recommendation

Adopt Resolution No. 23-32, which will:

1. Find the FY 2023 As-Needed Pavement Repairs (Tract 852), Project No. 23306 categorically exempt from the California Environmental Quality Act (CEQA) under Class 2 (Replacement or Reconstruction, 14 CCR section 15302) of the State CEQA Guidelines;
2. Award the FY 2023 As-Needed Pavement Repairs (Tract 852), Project No. 23306, contract to ONYX Paving Company, Inc.;
3. Authorize the City Manager to execute a contract by and between the City of San Clemente and ONYX Paving Company, Inc. in an amount not to exceed \$515,000, plus a 10% project contingency of \$51,500, for the FY 2023 As-Needed Pavement Repairs (Tract 852), Project No. 23306, in a form substantially similar to Contract No. C23-25 (Attachment 4); and
4. Approve and authorize the budget transfer of \$690,000 from account number 042-848-45300-000-13326 FY 2023 Alley Pavement Rehabilitation, Project No. 13326 to account number 042-848-43420-000-23306 FY 2023 As-Needed Pavement Repairs (Tract 852), Project No. 23306.

Attachment:

1. Resolution No. 23-32
2. Location Map
3. Bidders List
4. Contract

Notification:

None