

CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF: September 3, 2024

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**To:** Honorable Mayor and City Councilmembers  
**From:** Mario Landeros, Interim City Engineer  
**Subject:** Funded Youth Annex ADA Upgrades - Notice of Completion

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**RECOMMENDATIONS:**

The item is to request Council adopt a Minute Order accepting improvements for public use and authorizing staff to file a Notice of Completion for Youth Annex ADA Upgrades (the Project).

**EXECUTIVE SUMMARY:**

The Project is for ADA upgrades to the Youth Annex Building in a continuation to construct improvements in accordance with the City's ADA Transition Plan. The Project was constructed by DMR Builders and is now complete. Staff is requesting authorization to file a notice of completion with the Sonoma County Recorder. The original contract award was for \$133,924.70 and the final construction cost is \$135,249.70.

The City was awarded grant funding from the Community Development Block Grant (CDBG) program in FY 2020-21 for the Project.

**BACKGROUND AND DISCUSSION:**

The Project is CIP Project # 0213-20.05 in the adopted Fiscal Year 2024-25 Capital Improvement Program (CIP). Pursuant to City Council Policy #89 as revised March 15,2022, the City Manager awarded the contract for the Project to the Contractor, DMR Builders (Contractor) on March 26, 2024. The contract price was \$133,924.70. The final construction cost is \$135,249.70 which includes two contract change orders that were approved for additional railing needed for the ramp.

The Project consisted of correcting accessibility non-compliance issues at the exterior only of the building and site at the Youth Annex. Work included new hi-lo drinking fountain installation with pipe rail guards, cutting in new replacement door, revising existing door hardware and parking stall slope, new curb and curb ramp, other concrete flatwork to correct ramp slope, metal railing, signage and striping.

The Contractor gave notice of the date of completion of all contract work as August 7, 2024. After accounting for adjustments to the schedule due to unanticipated delay in the manufacture and delivery door metal hardware and metal railing, the work was completed within the contract time of completion. All work has been inspected and approved by the City Engineer and is ready for the Council's acceptance.

A Notice of Completion is attached and will be filed with the Sonoma County Recorder pending City Council accepting the improvements for public use and authorizing filing of the notice.

**STAFF ANALYSIS:**

With the completion of the work and contract requirements on or about August 7, 2024, and the enjoyment by the public of the finished public improvements, and the Project is ready for Council acceptance.

Pursuant to the Public Contract Code, the City has retained a portion of progress payments (5% retention) made to the Contractor, and upon completion of work may release the retention within but no later than 60 days after date of completion (on or before October 6, 2024). In addition, once the Notice of Completion is recorded, claims made against the Project (e.g. claim for "stop payment") will not be valid 30 days after recording the Notice of

Completion (on or about October 4, 2024). Therefore, once the Council accepts completion of the work and soon after is followed by filing the Notice of Complete with the County Recorder, the City will release final retention by October 4, 2024.

**COMMUNITY OUTREACH:**

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

**FISCAL IMPACT:**

The final cost of the Project, including the final amount of the construction contract, was within the approved Project budget and is summarized below:

Original contract	\$133,924.70
Change Order #1	3,900.00
Change Order #2	<u>(2,575.00)</u>
	\$135,249.70

**OPTIONS:**

No reasonable alternatives have been identified, given that the final Project cost has been determined to be within the approved budget, and there is no fiscal impact resulting from the action requested of Council.

**ATTACHMENTS:**

Notice of Completion

APPROVALS:

Department Head Approval: Approval Date: 8/15/24

CEQA Determination (Planning): Approval Date: 8/15/24

The proposed action is not a project under the California Environmental Quality Act (CEQA)

Administrative Services (Financial) Approval Date: 8/15/24

Costs authorized in City Approved Budget:  Yes  No  N/A

Account Code (if applicable) CIP Proj. #0213-20.05

City Attorney Approval: Approval Date: N/A

City Manager Approval: Approval Date: 8/15/24

**When Recorded Return to:**  
City of Sebastopol  
P. O. Box 1776  
Sebastopol, CA 95473

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

(Space Above this Line is for Recorder's Use Only)

**NOTICE OF COMPLETION**  
**Contract 2024-01**

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is owner of the interest or estate below in the property hereinafter described.
2. The full name of the undersigned is the City of Sebastopol, a Municipal Corporation.
3. The address of the undersigned is P.O. Box 1776, Sebastopol, CA 95473
4. The nature of the title of the undersigned is owner in fee.
5. All work of improvement on the property hereinafter described was completed as of August 7, 2024.
6. The name of the original contractor for the work of improvement is DMR Builders of Penngrove, California.
7. The work of improvement is described as follows:

**Contract No. 2024-01**  
**Youth Annex ADA Upgrades**  
Original Contract Price: \$133,924.70  
Final Contract Price: \$135,249.70

I am the City Engineer for the City of Sebastopol, 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 Sebastopol. I have read the Notice 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.

CITY OF SEBASTOPOL  
A Municipal Corporation

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

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Mario Landeros, City Engineer