



# City of Rialto

## Legislation Text

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**File #:** 18-498, **Version:** 2

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For City Council Meeting [June 12, 2018]

TO: Honorable Mayor and City Council

APPROVAL: Robb R. Steel, Interim City Administrator

FROM: Robert G. Eisenbeisz, P.E., Public Works Director/City Engineer

Request City Council to (1) Accept the Rialto Community Center Fence Project; City Project No. CB1601; (2) Authorize Filing of the Notice of Completion; and (3) Authorize Release of Retention to Line Tech Contractors, a Sole Proprietorship.

### **BACKGROUND:**

The City of Rialto Public Works Department is responsible for the oversight and management of Capital Improvement Projects including facility improvement projects within the City. The Department is also responsible for maintenance of the City's multiple public facilities and buildings, including the Rialto Community Center (Carl Johnson Center) located at 214 N. Palm Avenue. The Center is home to multiple recreation and community service programs and activities developed for the enjoyment and well-being of the Rialto community. The classes, activities, sports, and events offered provide residents with opportunities to improve and enrich their lives.

It is the City's goal to protect and preserve the City's valuable resources and public use facilities such as the Rialto Community Center.

On May 10, 2016, the City Council authorized the release of Request for Bid No. 16-098 for the construction of a tubular steel fence with masonry pilasters at the Rialto Community Center, City Project No. CB1601.

On February 14, 2017, the City Council approved a request to award a construction contract to Line Tech Contractors, a Sole Proprietorship, in the amount of \$288,995.97 for the construction of a tubular steel fence with masonry pilasters, Community Center Fence Project, City Project No. CB1601; and delegated authority to the City Administrator to approve and execute construction change orders up to a cumulative amount of \$14,500.

### **ANALYSIS/DISCUSSION:**

On April 4, 2018, the Contractor satisfactorily completed the Rialto Community Center Fence Project at 214 N. Palm, City Project No. CB1601 with the exception of four (4) gates without panic hardware. Staff reviewed outstanding punch list items and determined that gate hardware was included in the bid, but was not included in the approved plan, and since it was not required for code compliance it resulted in a credit from the contractor. Contract Change Order No. 1 illustrates the credit and is included as **Attachment 1**. Staff conducted a final inspection and found the work to comply with the plans, specifications, and standards of the City of Rialto. Upon acceptance by the City Council, staff

will file a Notice of Completion for recordation at the County Recorder's office. A copy of the Notice of Completion to be submitted to the County is included as **Attachment 2**.

**Table 1** below summarizes the total construction costs associated with Line Tech Contractors' work on the Rialto Community Center Fence Project.

**Table 1 - Construction Cost**

<b>Rialto Community Center Fence Project</b>	<b>Description</b>	<b>Amount</b>
Original Contract	Approved by CC on February 14, 2017 - Tab 2	\$288,995.97
Quantity Changes	Based on omitted items	\$ (30,873.06)
Contract Change Order No. 1	Credit from Linetech Contractors, a Sole Proprietorship, for four (4) gates which were built without panic hardware	\$ (6,000.00)
<b>Total Contract &amp; Change Orders</b>		<b>\$252,122.91</b>

The final total project cost was \$252,122.91, which was within the allocated budget of \$306,324.

**ENVIRONMENTAL IMPACT:**

Section 21084 of the California Public Resources Code requires California Environmental Quality Act (CEQA) Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall be exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment, and declared categorically exempt from the requirement for the preparation of environmental documents. Therefore, in accordance with Section 15301, Class 1, "Existing Facilities," the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, the Rialto Community Center Fence Project, City Project CB1601, is considered categorically exempt from the provisions of CEQA. Staff has filed a Notice of Exemption for the project, included as **Attachment 3**.

**GENERAL PLAN CONSISTENCY:**

This action is consistent with Guiding Principle 3A in the General Plan:

*Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.*

Approval of this action also complies with the City of Rialto General Plan Goal and Policies:

**Goal 3-11: Provide community facilities that adequately support established programs, can accommodate future needs, and are accessible to all members of the community.**

Policy 3-11.1: Allocate resources for the maintenance and operations of City facilities; explore alternative funding options for maintenance and operational costs of new facilities.

**LEGAL REVIEW:**

The City Attorney has reviewed and approved the staff report and notice of completion.

**FINANCIAL IMPACT:**

**Operating Budget Impact**

The City Council adopts funding for operations and maintenance activities during the annual budget process and the fence improvements will be maintained within the current facilities and parks operating budget. This will add cost responsibility in future budget years.

**Capital Improvement Budget**

The Rialto Community Center Fence Project funding was budgeted in the CDBG Fund Account No. 234-500-1856-3001-CB1601 as shown in **Table 2**:

**Table 2**  
**Funding Sources**

<b>Community Center Fence Project</b>	<b>Budget</b>	<b>Total</b>	<b>Budget Under/(Over)</b>
US Dept. of Housing & Urban Development	\$373,324.00	\$279,639.4	\$92,212.35
<b>Grand Total</b>	<b>\$373,324.00</b>	<b>\$271,291.06</b>	<b>\$92,212.35</b>

**Uses of Funds**

<b>Community Center Fence Project</b>	<b>Budget</b>	<b>Expenses</b>	<b>Balance</b>
Design Design	\$30,000.00	\$15,500.00	\$14,500.00
Administration	\$12,000.00	\$5,068.74	\$6,931.26
Construction Overhead	\$306,324.00	\$252,122.91	\$54,201.09
Allocation Construction	\$0.00	\$0.00 \$50.00	\$0.00
Support Construction	\$10,000.00	\$8,370 \$	\$9,950.00
Management <b>Total</b>	\$15,000.00	<b>279,639.40</b>	\$6,630.00
<b>Expenses</b>	<b>\$373,324.00</b>		<b>\$92,212.35</b>

The City is holding retention in the amount of \$12,606.15 for Linetech Contractors, pending acceptance of the improvements for maintenance and filing of the Notice of Completion with the County Recorder's office.

The project added a tubular steel fence with block pilasters and vehicular and pedestrian access gates along the west, south, and east perimeter of the Community Center. The Finance Department will add the value of this project to the City's fixed asset system, in compliance with Governmental Accounting Standard Board (GASB) 34 Standards for Financial Reporting of Infrastructure Assets.

**Licensing**

The vendor filed a Business license application and paid a Business license fee at the Professional

Service rate of \$354 prior to execution of the Professional Service Agreement and start of construction. The contractor's Business License number is BL17-0114. Vendor's business license expired on 12/31/2017 and needs to be renewed.

**RECOMMENDATION:**

Staff recommends that the City Council:

- Accept the Rialto Community Center Fence Project No. CB1601;
- Authorize the Public Works Director/City Engineer to file the Notice of Completion at the County Recorder's Office.
- Authorize Release of Retention to Line Tech Contractors, a Sole Proprietorship, 35 days after the filing, provided that no claims are filed before that time.