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**SUBJECT:** Notice of Completion for work performed by National Aquatic Services, Inc. for the Deer Ridge Frontage Landscaping Improvements Project – Fountain Retrofit, CIP Project No. 352-52440.

**DEPARTMENT:** Parks and Recreation Department

**STAFF:** Bruce Mulder, Director of Parks and Recreation  
Aaron Wanden, Parks Maintenance Manager

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### **TITLE/RECOMMENDATION**

Adopt a Resolution accepting the work performed by National Aquatic Services, Inc. for the Deer Ridge Frontage Landscaping Improvements Project – Fountain Retrofit, CIP Project No. 352-52440 and File a Notice of Completion with the County Recorder.

### **FISCAL IMPACT**

The total contract amount for the work performed by National Aquatic Services, Inc. is as follows:

<u>Contractor</u>	<u>Final Amount</u>	<u>Council Approved Amount</u>
National Aquatic Services, Inc.	\$120,798.00	\$121,851.40

The final amount spent for the services was \$1,053 below the authorized amount for this contract.

### **BACKGROUND**

Installation of landscaping for Sites 2-14 for the Deer Ridge Frontage Landscaping Improvements Project (the “Project”) was completed in late 2022.

The final work to complete the Project was for the retrofit of the two fountains to City standards on Site 1. In accordance with the City’s Purchasing Policy, and in anticipation that the cost would be less than \$60,000 (the bidding threshold under the California Uniform Public Construction Cost Accounting Act (“CUPCAA”)), staff solicited quotes from multiple contractors to complete this work. The request for



**CITY COUNCIL AGENDA ITEM NO. E.8  
10/22/2024**

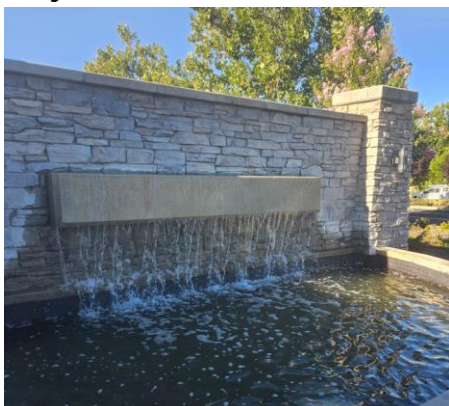
quotes included a mandatory site visit, which only one contractor attended, and thereafter submitted a quote for almost \$90,000, which was much higher than anticipated, and beyond the legal threshold of soliciting quotes. Because the one quote received exceeded \$60,000, staff was required to put the Project out to bid in accordance with CUPCCAA.

Formal bid documents were made available to the public on February 28, 2023 and the bid opening occurred on March 23, 2023. One bid was received on the bid date from National Aquatic Services ("NAS") in the amount of \$110,774. In conformance with the Public Contract Code, staff awarded the construction of the Deer Ridge Frontage Landscaping Improvements Project – Fountain Retrofit, CIP Project No. 352-52440 to NAS as being a responsible and responsive bidder for a contract amount of \$110,774, plus a 10% contingency of \$11,077.40, for a total not to exceed amount of \$121,851.40.

The Notice to Proceed was issued to NAS to start work on June 19, 2023. After an on-site pre-construction meeting with PG&E on June 29, 2023, a formal Notice of Suspension of work was issued on July 13, 2023. This suspension was due to power service work to be completed by the City and PG&E on the Project before NAS was able to proceed with its Work.

Staff prepared the site for PG&E inspection and after a lengthy wait to be scheduled, PG&E did not approve the initial work done by staff. To proceed with the Project, staff applied for a variance; however, PG&E denied the request. Staff found an alternative solution to establish electricity to the site that did not require the approval of PG&E. On May 29, 2024, the Notice of Resumption of Work was issued to NAS with the resume date of June 17, 2024 for the fountains.

The work was completed September 12, 2024. Below are photos of the completed Project.





### **CITY COUNCIL STRATEGIC INITIATIVE**

Not Applicable.

### **PREVIOUS ACTION**

Previous Action by the City Council is included on Attachment 1.

### **DATE OF NOTICE**

Not Applicable.

### **ENVIRONMENTAL DETERMINATION**

Not Applicable.

### **ALTERNATIVE OPTION(S)**

Alternative Options to the Staff Recommendation:

1. If the City Council does not approve staff's recommendation, staff will not be able to close out this Project.
2. Modify staff's recommendation based on legally defensible findings.
3. Continue item with direction for staff to return with additional information.

### **ATTACHMENT(S)**

1. Previous Action
2. Resolution
3. Notice of Completion