

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD 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.

WHEREAS, on June 9, 2020, by Resolution 2020-73, City Council adopted the 2020/21 - 2024/25 Capital Improvement Program; and

WHEREAS, on January 12, 2021, by Resolution No. 2021-07, City Council approved a new capital improvement project in the amount of \$102,600 for the design phase of the water fountain retrofit of Deer Ridge Frontage Landscaping Improvements (“Project”), amending the FY 2020/21 - FY 2024/25 Capital Improvement Program, and amending the FY 2020-21 Operating Budget; and

WHEREAS, on June 22, 2021, City Council approved paying for the upfront Project costs including the initial design of the improvements, development of the cost estimate to construct and maintain the improvements, the legal and assessment engineering costs to form the proposed Deer Ridge LLAD 21-1, and the preparation and mailing of the notices and ballots to affected property owners; and

WHEREAS, on September 14, 2021, by Resolution 2021-112, City Council declared the Results of the Property Owner Protest Ballot Proceedings Conducted for Landscape and Lighting Assessment District No. 21-1 (Deer Ridge Landscape Improvements), approving the Final Engineer’s Report, Ordering the Formation of Landscape and Lighting Assessment District No. 21-1 (Deer Ridge Landscape Improvements), and Confirming Diagrams and Levy of Assessments for Fiscal Year 2022/23; and

WHEREAS, on January 25, 2022, by Resolution 2022-10, City Council (1) approved the construction phase of the capital improvement project consisting of the Deer Ridge Frontage Landscaping Improvements, CIP No. 352-52440, per the attached CIP sheet; (2) amended the FY 2021/22 - FY 2025/26 CIP to add to the Project; (3) amended the FY 2021/22 Operating Budget to allow for funding transfers; and (4) approved a long-term interfund loan in the amount of \$722,476, per the Council’s Budget and Fiscal Policy, to provide capital funding for the portion of this construction cost that is the responsibility of LLAD No. 21-1 (Deer Ridge Landscape Improvements); and

WHEREAS, on April 26, 2022, by Resolution 2022-51, City Council approved the contract documents, awarded the bid and authorized the City Manager or designee to execute a construction contract and necessary documents for the Deer Ridge Frontage Landscaping Improvements Project, CIP No. 352-52440 with Clean Cut Landscaping, Inc. in the amount of \$948,593, plus a 10% contingency of \$94,860, for a total not to exceed amount of \$1,043,453, and amended the FY 2021/22 – 2025/26 CIP and the 2021/22 Operating Budget for the associated project funding transfers; and

WHEREAS, on January 24, 2023, by Resolution 2023-09, City Council accepted the work performed by Clean Cut Landscaping, Inc. for the Deer Ridge Frontage Landscaping

Improvements Project, CIP No. 352-52440 and requested the City Clerk to file a Notice of Completion with the County Recorder; and

WHEREAS, on April 11, 2023, by Resolution 2023-44, City Council 1) approved and authorized the City Manager or designee to execute a contract with PG&E in the amount of \$89,932.29, plus a contingency of \$13,489.84 for unanticipated additional services, for a total not to exceed amount of \$103,422.13, 2) approved and authorized the City Manager or designee to execute a contract with National Aquatic Services, Inc. in the amount of \$110,774, plus a contingency of \$11,077.40 for a total not to exceed amount of \$121,851.40 for retrofit of the fountains, and 3) authorized staff to amend the 2022/23 – 2026/27 Capital Improvement Program by \$108,819 for the Deer Ridge Frontage Landscaping Improvements Project, CIP Project No. 352-52440 and the FY 2022/23 Operating Budget for the associated project funding transfers.

WHEREAS, National Aquatic Services, Inc. has met its contractual obligation and staff has recommended that the work performed by National Aquatic Services, Inc. for the Deer Ridge Frontage Landscaping Improvements Project – Fountain Retrofit, CIP Project No. 352-52440 be accepted and the Notice of Completion filed with the County Recorder.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brentwood hereby approves 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 directs the Notice of Completion be filed with the County Recorder.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on October 22, 2024 by the following vote: