



**CITY OF LARKSPUR**  
**Staff Report**

March 15, 2023, City Council Meeting

DATE: March 6, 2023  
TO: Honorable Mayor Paulson and the Larkspur City Council  
FROM: Alvin Tan, Assistant Engineer  
Julian Skinner, Director of Public Works  
SUBJECT: ACCEPTANCE OF THE PARK WAY STORM DRAIN PROJECT (CIP 21-307)

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**ACTION REQUESTED**

Adopt a resolution accepting the Park Way Storm Drain Project (CIP 21-307) constructed under contract with FJ&I Engineering Inc.

**SUMMARY AND BACKGROUND**

On June 1, 2022, Council authorized a construction contract in the amount of \$213,330 with FJ&I Engineering, Inc. for the Park Way Storm Drain Project. Work commenced on November 14, 2022, and continued through to completion on February 24, 2023. The Public Works Director has determined that the project work is complete. Formal City Council acceptance is required to close out the project.

**DISCUSSION**

The work progressed on schedule and below the construction contract budget. After construction commenced, it was discovered that some items of work could be deleted from the contract without impacting the intended design of the storm drain. A proposed manhole was omitted at a pipe bend and instead the pipe segments were offset along this curved section. The last segment of storm drain pipe on Magnolia was connected to an existing inlet instead of a new structure as originally designed. Seventy-four (74) lineal feet of proposed storm drain was downsized from 30" to 24" on Magnolia to accommodate an existing sewer lateral. The City determined that there would still be sufficient capacity with the smaller pipe. There was also a reduction in the amount of concrete work. The contractor was able to install the proposed storm drain without cutting into an existing curb ramp. These modifications to the scope of work resulted in an overall lower construction cost.

The final project construction cost was under budget at \$189,176.39 and included pavement restoration to Larkspur minimum standards. Park Way will be completely repaved with the City's Measure B Group 4 paving project.

**FISCAL IMPACT**

Sufficient funds are included in the FY 22-23 Capital Improvement Program budget for the Park Way Storm Drain Project to cover these construction costs.

**ENVIRONMENTAL STATUS**

The project was determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in Section 15301 (c), Existing Facilities, of the California Code of Regulations Title 14, Chapter 3.

**STAFF RECOMMENDATIONS**

Staff recommends that Council accept the work as complete.

Respectfully submitted,  
Alvin Tan, Assistant Engineer.

Attachments

1. Resolution
2. Notice of Completion

CITY OF LARKSPUR  
RESOLUTION 18/23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LARKSPUR  
ACCEPTING THE PARK WAY STORM DRAIN PROJECT (CIP 21-307)

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**WHEREAS**, on June 1, 2022, Council authorized a construction contract in the amount of \$213,330 (CIP 21-307) with FJ&I Engineering, Inc.;

**WHEREAS**, work commenced on November 14, 2022, and continued through to completion on February 24, 2023;

**WHEREAS**, the final construction cost was under budget at \$189,176.39; and

**WHEREAS**, FJ& Engineering, Inc. has completed the work to the satisfaction of the Public Works Director, and staff recommends acceptance of the Park Way Storm Drain Project allowing for filing of the Notice of Completion, followed by the release of retention to the Contractor in accordance with contract documents.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Larkspur does hereby resolve, declare, determine and order as follows:

- 1. The recitals above are found to be true and correct and constitute the findings of the City Council made in support of this resolution.
- 2. City Council authorizes the acceptance of the Park Way Storm Drain Project and release of retention in accordance with contract documents.

**IT IS HEREBY CERTIFIED** that the City Council of the City of Larkspur duly introduced and regularly adopted the foregoing resolution at a regular meeting held on March 15, 2023, by the following vote:

AYES:            COUNCILMEMBER:  
NOES:            COUNCILMEMBER:  
ABSENT:        COUNCILMEMBER:  
ABSTAIN:        COUNCILMEMBER:

\_\_\_\_\_  
Gabe Paulson, Mayor

ATTEST:

\_\_\_\_\_  
Alison Foulis, City Clerk

Recording Requested by:		City of Larkspur
When recorded, mail to )		City of Larkspur
	)	Attn: Department of Public Works
RECORD WITHOUT )		400 Magnolia Avenue
FEE PER G.C. 27383 )		Larkspur, CA 94939

**CITY OF LARKSPUR  
NOTICE OF COMPLETION / CERTIFICATE OF COMPLETION**

PROJECT NAME:	PARK WAY STORM DRAIN PROJECT	
CITY PROJECT #:	21-307	AP #: N/A
FEDERAL AID PROJECT #:	N/A	

**NOTICE IS HEREBY GIVEN:**

1. That on March 15, 2023, the public works project known as PARK WAY STORM DRAIN PROJECT, was accepted by the Larkspur City Council. The project was completed in accordance with the plans and specifications as required by the City of Larkspur.
2. That the name and address of the party filing this notice is the City of Larkspur, 400 Magnolia Avenue, Larkspur, CA 94939.
3. That the name and address of the contractor responsible for the construction of the project FJ&I Engineering Inc., 1981 21<sup>st</sup> Street, San Pablo, CA 94806, phone 510-650-2655.
4. That the name and address of the contractor’s surety is The Old Republic Surety Company, 25109 Jefferson Ave., Ste 215, Murietta, CA 92562.
5. That the general description of the PARK WAY STORM DRAIN PROJECT is work consisting of: Installation of storm drain pipe and structures.
6. City of Larkspur Resolution No. #/23 is attached.

I declare under penalty of perjury that the foregoing is true and correct. (CCP 2015.5)

\_\_\_\_\_  
Julian Skinner  
City Engineer/Public Works Director

Date: \_\_\_\_\_

**4.5 ATTACHMENT 2**

The interest of the contracting owner in the above-described property is in the nature of

**Public Right-of-Way**

(e.g., "fee simple," "lessee," "purchaser under contract of purchase").

The full names and addresses are for all persons or entities having an ownership interest in the above-described property during the pendency of the work of improvement and the term of cessation, are set forth as follows:

**City of Larkspur  
400 Magnolia Avenue, Larkspur, CA 94939**

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

**CITY OF LARKSPUR**

OWNER

By \_\_\_\_\_  
Julian Skinner, City Engineer or his Agent

NOTE: California Civil Code § 3259.5 requires that a copy of the Notice of Completion be served on any party which has provided preliminary twenty-day notice in accordance with Civil Code § 3097 within ten days after recordation of this Notice; the notification shall be sent by registered or certified mail or by first class mail, evidenced by a certificate of mailing. Failure to give notice to a contractor or claimant within ten days of recording the Notice of Completion shall extend the period of time in which that contractor or claimant may file a mechanics' lien or stop notice to ninety days beyond the date that a Notice of Completion has been recorded.

For purposes of this requirement, the term "Owner" means a person who has an interest in real property or the person's successor-in-interest on the date a Notice of Completion is filed, who causes a building, improvement or structure to be constructed, altered or repaired on the property. The term "Owner" does not include a person who occupies the real property as a personal residence and the dwelling consists of not more than four residential units, not does it include a person who has a security interest in the property.

**VERIFICATION**

I, the undersigned, state: I am the City Engineer of the City of Larkspur ("Agent of," "President of," "A Partner of," "Owner of," etc.) the claimant named in the foregoing Notice of Completion; I have read said claim of Notice of Completion and know the contents thereof, and I certify that the same is true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Julian Skinner, City Engineer or his Agent

NOTE: This document has important legal consequences; consultation with an attorney is encouraged with respect to its use or modification. This form is intended to meet the requirements of California law as of January 1, 2005.