



**CITY OF**

---

---

# **NEWPORT BEACH**

## **City Council Staff Report**

August 13, 2019  
Agenda Item No. 4

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** David A. Webb, Public Works Director - 949-644-3311,  
dawebb@newportbeachca.gov

**PREPARED BY:** Patrick Arciniega, Senior Civil Engineer,  
parciniega@newportbeachcs.gov

**PHONE:** 949-644-3347

**TITLE:** Bayside Drive and Jamboree Road/Marine Avenue Improvements –  
Notice of Completion for Contract No. 7224-1 (16R12)

---

**ABSTRACT:**

On November 27, 2018, City Council awarded Contract No. 7224-1, Bayside Drive and Jamboree Road/Marine Avenue Improvements to GMC Engineering, Inc. of Tustin, California. The work is now complete and staff requests City Council acceptance of the project and close out of the contract.

**RECOMMENDATION:**

- a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project;
- b) Authorize the City Clerk to release the Labor and Materials Bond 65 days after the Notice of Completion has been recorded in accordance with the applicable portions of Civil Code; and
- c) Release Faithful Performance Bond one year after acceptance by the City Council.

**FUNDING REQUIREMENTS:**

The adopted budget included sufficient funding for this project. The construction contract was expensed from the following accounts within the budget:

<u>Account Description</u>	<u>Account Number</u>	<u>Amount</u>
General Fund - Streets	01201927-980000-16R12	\$245,289.99
General Fund - Drainage	01201926-980000-18D02	\$112,351.18
Measure M Fair Share	12201-980000-16R12	\$1,397,249.00
General Fund - Traffic	01201927-980000-18T03	\$33,585.80
General Fund - Traffic	01201927-980000-18T02	\$72,121.00
Gas Tax	12101-980000-16R12	\$1,322,849.07
Contributions – OCSD	13501-980000-16R12	\$89,946.00
Water Capital Fund	70201932-980000-19W05	\$295,694.08
Wastewater Fund	71101-980000-18R09	\$15,000.00
<b>Total:</b>	<b>\$</b>	<b>3,584,086.12</b>

**DISCUSSION:**

**Overall Contract Cost/Time Summary**

Awarded Contract Amount	Final Cost at Completion	Contingency Allowance	Actual Contract Change	% Due to Directed Change	% Due to Unforeseen Change
\$2,913,000.00	\$3,584,086.12	10% or less	23.0%	9.3%	13.7%
Allowed Contract Time (days)		190	Actual Time Under (-) or Over (+)		0

This project addressed rehabilitating Bayside Drive pavement as well as incorporated traffic calming features, pedestrian and bicycle improvements, and replacement of the traffic signal at Bayside Drive and Jamboree Road. The project also constructed new landscaped medians, two retaining walls, new parkway landscaping and irrigation along Promontory Bay, new sidewalk along the north side of Bayside Drive, intersection upgrades to Jamboree/Marine/Bayside intersection and upgrades to the mid-block pedestrian crossing on Bayside Drive.

During the project, on February 12, 2019, an 18-inch city water transmission main ruptured near the intersection of Jamboree Road and East Coast Highway. This major water main break caused significant damage to the street, sidewalk, curb and gutter, and graded work area within the project that was prepared and ready for new sidewalk. The main break required the contractor to rearrange their work schedule in order to stay on track and finish the job on time. As a result of this main break, the City Council at their April 9, 2019, meeting authorized additional contingency funds for the project up to \$656,946, a little less than 23 percent, to cover repairs caused by the main break. In July 2019, the City Manager authorized raising the contingency allowance to 25% or \$728,250 as provided for by Council Policy F-14 to ensure adequate funds were available to complete the project. Total final construction costs for this project was \$3,584,086.12, which is 23 percent over the original contract amount.

The actual cost of bid items constructed was \$195,030.35 more than the original bid amount due to an increase in quantities for removing and replacing failed pavement (potholes/depressions) and damaged sidewalk areas. City staff also requested added water meter replacements and relocation efforts on Bayside Drive from Harbor Island Drive to the promenade walk/bike path, which increased the sidewalk bid item quantity significantly. Because of that effort, a decision was made to replace the remaining deteriorated colored concrete to give a uniform look along these residential properties, thus further increasing sidewalk quantities.

Construction of this project proved to be complex due to a variety of factors and adjustments to the design prompted by field conditions and community requests. Heavier than normal winter rains required additional dewatering and pumping during construction of the Bayside Drive retaining wall footing.

Additional costs were incurred when undocumented private drains along the Bayside Drive slope were found during excavation and had to be reconnected. In addition, the community requested changing out the majority of King Palms planned in the medians with slightly more expensive Date Palms.

The contracted work has now been completed to the satisfaction of the Public Works Department. A summary of the construction cost is as follows:

Original bid amount:	\$2,913,000.00
Actual Cost of Bid Items Constructed:	\$3,108,030.35
Total Change Orders:	\$476,055.77
<b>Final Contract Cost:</b>	<b>\$3,584,086.12</b>

The contractor was allowed additional contract working days due to heavy rains this winter and substantial delays due to the City water main break. Additional contract time was also added due to the delay in receiving the new traffic signal poles and associated rewiring at Bayside and Jamboree. Although the signal poles were ordered at the outset of construction, the poles were not delivered until late June due to a very heavy demand for signal poles and substantial manufacture backlog of orders.

A summary of the project schedule is as follows:

Estimated Start of Construction per Annual Baseline Schedule	December 10, 2018
Actual Start of Construction Per Notice to Proceed	December 3, 2018
Extended Contract Completion Date Inclusive of Extra Work	July 26, 2019
Actual Substantial Construction Completion Date	July 26, 2019

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENT:**

Attachment A – Location Map