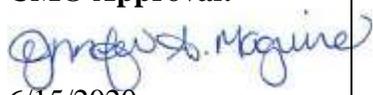




**CITY COUNCIL ACTION REQUEST**

<b>Department(s):</b> Transportation	<b>CEQA:</b> Categorically Exempt, File No. PP18-029, CEQA Guidelines Section 15301(c), Existing Facilities.	<b>Coordination:</b> PW, DOT, CAO, CMO-Budget	<b>Dept. Approval:</b> /s/ John Ristow
<b>Council District(s):</b> 2, 8, & 10			<b>CMO Approval:</b>  6/15/2020

**SUBJECT: 2020 LOCAL STREETS MINOR ADA #5 CONTINGENCY INCREASE**

**RECOMMENDATION:**

Approve increasing the contingency established for the 9490 – 2020 Local Streets Minor ADA #5 project, from 10 to approximately 18.1 percent, thereby increasing the total an additional \$40,117 from \$49,342 to \$89,459, to pay for necessary additional work.

**BASIS FOR RECOMMENDATION:**

The Director of the Department of Transportation awarded this minor public works project on 02/11/2020 in the amount of \$493,427. The Director established a ten percent contingency of \$49,342 in accordance with SJMC Section 27.04.050.

During construction, the scope of the project had to be changed to deliver ADA compliant wheelchair ramps. To meet ADA requirements, the contractor had to construct new wheelchair ramps in some locations that were originally scoped for only minor retrofit. Also, removal and replacement of concrete areas around the ramps were more extensive than the project had initially scoped for due to the conditions that arose after excavation. All the work had to be performed to avoid potential delays on upcoming pavement projects on these streets.

The contractor completed the project, and the City has accepted the work. The 10 percent contingency was insufficient to fully pay the contractor for the additional work, and the City still owes the contractor \$40,117. Increasing the contingency will provide DOT with the authority to issue a change order that will fully compensate the contractor. SJMC Section 27.04.050 requires the City Council to approve increases in the contingency after contract award.

**Climate Smart San Jose:** The recommendation in this memo has no effect on Climate Smart San Jose energy, water, or mobility goals.

**Commission Recommendation/Input:** No commission recommendation or input is associated with this action.

**COST AND FUNDING SOURCE:**

**1. COST OF CONSTRUCTION CONTRACT:**

Initial Construction Contract	\$493,427.00
Contingency (18%)	\$89,459.00

**TOTAL PROJECT COSTS: \$582,886.00**

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2019-2020 Adopted Capital Budget Page*	Last Budget Action (Date, Ord. No.)
465	403Q	Pavement Maintenance – VTA Measure B 2016	\$18,909,569	\$582,886	V-913	10/22/2019, 30325

**FOR QUESTIONS CONTACT:** Frank Farshidi, DOT Division Manager, at (408) 794-1945