

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Ron Moreno, Director of Public Works/City Engineer

DATE: August 12, 2025

SUBJECT: Accept Improvements and File the Notice of Completion for the Sidewalks – Citywide, Ynez Road (Rancho Highland Drive to Tierra Vista Road), PW17-28

PREPARED BY: Nino Abad, Principal Civil Engineer
Ryan Castillo, Supervising Public Works Inspector

RECOMMENDATION: That the City Council:

1. Accept the construction of the Sidewalks – Citywide, Ynez Road (Rancho Highland Drive to Tierra Vista Road), PW17-28; and
2. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond, and accept a one-year Maintenance Bond in the amount of 100% of the original contract amount; and
3. Release the Labor and Materials Bond seven months after filing the Notice of Completion, if no liens have been filed.

BACKGROUND: On September 10, 2024 the City Council awarded a Construction Contract to BW & Company, Inc. in the amount of \$279,813 and authorized the City Manager to approve change orders not to exceed the contingency amount of \$83,944, which is equal to 30% of the Contract amount. Due to unforeseen public utility delays and ongoing negotiations with the adjacent property owner regarding the First Amendment to the Right of Entry and Construction Access Agreement, an additional \$30,000 in contingency funding was authorized at the June 10, 2025, City Council meeting. This increased the City Manager's authority to approve change orders to a total of \$113,944.

Due to prolonged negotiations between the City and the adjacent property owner regarding the final landscape restorations and improvements, the City reviewed and approved the Contractor's request to be released from the remaining contract items primarily consisting of landscape and irrigation. The remaining landscape restorations and improvements will be completed separately using one of the City's on-call contractors.

BWW & Company, Inc. has completed the work in accordance with the approved plans and specifications and to the satisfaction of the Director of Public Works/City Engineer. All work is warranted for a period of one year from April 2, 2025, the date the City obtained “beneficial use” of the project improvements. The retention for this project will be released pursuant to the provisions of Public Contract Code 7107.

The amount of the contract was \$279,813. There were four (4) contract change orders with a net total of \$45,400.78. The final contract amount totaled \$325,213.78

FISCAL IMPACT: There is no fiscal impact associated with accepting the project and filing and recording the Notice of Completion.

ATTACHMENTS:

1. Notice of Completion
2. Contractor’s Affidavit and Final Release
3. Maintenance Bond