

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: June 11, 2024

SUBJECT: Accept Improvements and File the Notice of Completion for the Margarita Recreation Center, PW17-21

PREPARED BY: Amer Attar, Engineering Manager
Nino Abad, Senior Civil Engineer

RECOMMENDATION: That the City Council:

1. Accept the construction of the Margarita Recreation Center, PW17-21, as complete; and
2. Direct the City Clerk to file and record the Notice of Completion, release the Performance Bond; and
3. Release the Labor and Materials Bond seven months after filing the Notice of Completion if no liens have been filed.

BACKGROUND: On March 9, 2021 the City Council awarded a design-build contract to De La Secura Builders, Inc (DLS) for the design and construction of the Margarita Recreation Center (MRC), PW17-21 in the amount of \$8,680,459. The City Council also authorized the City Manager to approve contract change orders up to a contingency amount of \$120,000. On September 13, 2022 the City Council approved an increase to the contingency in the amount of \$895,000. With this addition, the total encumbrance of the project is \$9,695,450.

The completed project included the total demolition of the existing building and the construction of the new MRC. Facilities at the new MRC include a multipurpose room with operable partition, classroom, dance/fitness room, kitchen, administrative offices, aquatics office, lifeguard office, first aid room, locker rooms, restrooms, two outdoor patio areas, a 75' x 65' pool, and a pool equipment/storage building.

DLS has completed the work in accordance with the approved design-build contract, general conditions, approved construction contract change orders, and to the satisfaction of the Director of Public Works/City Engineer. All work will be warranted for a period of one year from January 28, 2024, the day the City gained beneficial use of the project improvements. The retention for this project will be released pursuant to the provisions of Public Contract Code 7107. A portion

of the retention will be held for warranty purposes per the terms of the design-build contract.

The amount of the design-build contract was \$8,680,459. Six (6) contract change orders were issued totaling \$811,558.76. The final contract amount totaled \$9,492,017.76.

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