

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

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

DATE: July 9, 2019

SUBJECT: Accept Improvements and File the Notice of Completion for French Valley Parkway Interchange – Environmental Mitigation, PW02-11EM

PREPARED BY: Avlin Odviar, Senior Civil Engineer
William Becerra, Associate Engineer II

RECOMMENDATION: That the City Council:

1. Accept the improvements for the French Valley Parkway Interchange – Environmental Mitigation, PW02-11EM;
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 10% of the final contract amount;
3. Release the Labor and Materials Bond seven months after filing the Notice of Completion, if no liens have been filed.

BACKGROUND: On February 23, 2010, the City Council adopted Resolution Number 10-14 to approve the French Valley Parkway/Interstate 15 Overcrossing and Interchange Improvements, PW02-11 and adopt the Mitigated Negative Declaration. The City, in conjunction with the resource agencies, selected an appropriate mitigation site to implement measures necessary to offset impacts to riparian habitats. The 2.73 acre site is located along the northern bank of Temecula Creek, approximately ¼ mile west of Pechanga Parkway.

On August 14, 2012 the City Council awarded a construction contract to Natures Image Inc. in the amount of \$195,559.00, and authorized the City Manager to approve change orders within 10% of the contract amount, to create the mitigation site, and maintain and monitor the site for a period of no less than 5 years to foster its development and success. The construction work on the site was completed in November 2013. The site was maintained and monitored through January 2019 when the mitigation work was deemed complete by U.S. Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife.

Natures Image has completed the work in accordance with the approved specifications and to the satisfaction of the Director of Public Works/City Engineer. All work is warranted for a period of one year from January 11, 2019, the date the City obtained “beneficial use” of the project

improvements and received concurrence from all necessary resource agencies that the Project meets mitigation requirements. The retention for this project will be released pursuant to the provisions of Public Contract Code Section 7107.

The original Contract amount was \$195,559.00. There were approved change orders in the amount of \$12,299.71. which bring the total cost to \$207,858.71.

FISCAL IMPACT: There is no Fiscal Impact for project acceptance and filing of the Notice of Completion.

ATTACHMENTS:

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