

**CONSENT CALENDAR****Agenda Item # 2****AGENDA REPORT SUMMARY****Meeting Date:** October 26, 2021**Subject:** Resolution No. 2021-52: Acceptance of Los Altos Community Center Project**Prepared by:** Andrea Trese, Associate Civil Engineer**Reviewed by:** Jim Sandoval, Engineering Services Director**Approved by:** Gabriel Engeland, City Manager**Attachment(s):**

1. Resolution No. 2021-52

Initiated by:

City Council, CIP Project CF-01002

Previous Council Consideration:

October 27, 2020; October 13, 2020; October 22, 2019; July 30, 2019; July 9, 2019; March 12, 2019; September 11, 2018; July 10, 2018; March 13, 2018; December 12, 2017; September 26, 2017; August 22, 2017; April 25, 2017

Fiscal Impact:

The table below summarizes the final costs of the Los Altos Community Center Project. The final approved budget for the overall project (including construction as well as soft costs; furnishings, fixtures & equipment; and respective contingencies) is \$38,335,400. The final overall project cost is \$37,279,861. The project cost is \$1,055,539 less than the final approved budget.

Project Item	Project Budget	Final Cost	Remaining Budget
Soft Costs (Design, Construction Management, Construction Inspections, etc.)	\$ 5,535,443	\$ 5,767,373	\$ (231,930)
Construction	\$ 31,035,400	\$ 30,403,310	\$ 632,090
Furnishings, Fixtures, and Equipment (FF&E) and Expenses	\$ 1,764,557	\$ 1,109,178	\$ 655,379
Total	\$ 38,335,400	\$ 37,279,861	\$ 1,055,539

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- None

City Manager

*GE***Reviewed By:**

City Attorney

JH

Finance Director

JE



Subject: Resolution No. 2021-52: Acceptance of Los Altos Community Center Project

Summary:

- Adopt Resolution No. 2021-52 accepting completion of the Los Altos Community Center Project, CF-01002
- Authorize the Engineering Services Director to record a Notice of Completion as required by law
- Construction of the new Los Altos Community Center has been completed by Gonsalves and Stronck Construction Company and the building is now open to the public

Staff Recommendation:

Move to adopt Resolution No. 2021-52 accepting completion of the Los Altos Community Center Project, CF-01002; and authorize the Engineering Services Director to record a Notice of Completion as required by law



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Purpose

Accept completion of the Los Altos Community Center Project by construction contractor Gonsalves and Stronck Construction Company.

Background

On Tuesday, April 25, 2017, the City Council approved the creation of a Capital Improvement Project for the design and construction of a new Community Center, originally referred to as the Hillview Community Center Redevelopment Project, CF-01002. The new 24,500 square foot building includes a large community room, three multipurpose rooms, meeting rooms, a catering kitchen, and dedicated spaces for seniors, teens, and the City-run preschool program. The site's amenities and outdoor spaces support learning, play, and community gatherings. The building has been designed to achieve LEED Gold equivalency with photovoltaic (solar) panels, electric vehicle charging stations, water-wise devices, stormwater bioretention areas, and an abundance of natural light. Several avenues of public art are incorporated through murals, gallery exhibits, and sculptures. The project features a pathway connecting the library to the Community Center. The building also includes unique and complex features, such as rain screens and a metal roofing system.

On October 2, 2021, the Los Altos City Council and City staff hosted a ribbon-cutting celebration to unveil the highly anticipated addition to the civic center to the Los Altos community.

Project History

Since April 25, 2017, the project consisted of planning, design and construction of a new Community Center at 97 Hillview Avenue. The design contract was awarded to Noll & Tam Architects & Planners on August 22, 2017. Los Altos community members were extensively involved in the planning and design of the project through the work of the Hillview Community Center Project Task Force. The task force consisted of eleven residents who worked with Noll & Tam to provide Council with a recommended design and layout that align with the character and community values of Los Altos.

The construction contract was awarded to Gonsalves and Stronck Construction Company, on July 30, 2019, at which time a total project budget of \$38,335,400 was approved by Council. A groundbreaking ceremony was held on October 8, 2019.

Construction Management was provided by NOVA Partners through a contract with the City authorized on July 9, 2019. NOVA Partners provided services including design and constructability-review, on-site oversight, project coordination, monitoring of scheduling and budget, validating costs and completion for various construction items, and subcontracting of special testing and inspections. Many unexpected challenges arose during construction due to the



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COVID-19 pandemic and unforeseen conditions. However, the building was substantially completed on June 30, 2021, and received a Temporary Certificate of Occupancy in August 2021. The Final Certificate of Occupancy was approved on September 30, 2021. Construction is complete and the building has been open to the public since October 4, 2021. Despite the unprecedented pandemic, other challenges, and the nearly one-year delay, the project was delivered approximately \$1 million under budget.

As staff settles into the new facility, there are “Day 2” furnishings, fixtures, and equipment (FF&E) that are needed to create a fully functioning and secure operation. Staff estimates approximately \$150-200K in expenditures from the FF&E budget to cover numerous items, including IT and security equipment, office furniture, recycling/trash containers, kitchen supplies, art/décor, plants & planters, bocce ball equipment, window treatments, signage, podiums, teen room supplies, etc.

Discussion/Analysis

Gonsalves and Stronck Construction Company (G&S) completed the construction of the new Los Altos Community Center project. The facility was built in accordance with the plans and specifications. As such, staff recommends that Council authorizes the Engineering Services Director to record a Notice of Completion, as required by law.

The City is required to release retained funds to the contractor 35 days after filing the Notice of Completion with the Santa Clara County Recorder. Given the complexity of the project, the City retained 10% of the construction payments (public projects typically retain no more than 5%). The purpose of the retention is to provide security to the City in the case of contractor non-performance and to provide security in case any potential stop payment notices are filed by G&S’s subcontractors. The release of retained funds allows the general contractor to complete payments to the subcontractors (including those from early stages of the project, such as demolition in Fall 2019), whose payments have also typically been withheld at 10%.

After the project is accepted, the facility is covered by a warranty from the contractor. The warranty acts as a written guarantee from the Contractor that the work will remain free of defects and suitable for its intended use for the duration of the warranty. The contractor will repair or replace any items found to be defective for a period of one (1) year from the date of the Notice of Completion of the project, per the contract. All costs associated with such corrective actions are the responsibility of the Contractor.

Recommendation

The staff recommends that the Council, *Adopt Resolution No. 2021-52 accepting completion of the Los Altos Community Center Project; and authorize the Engineering Services Director to record a Notice of Completion as required by law.*

RESOLUTION NO. 2021-52

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
ACCEPTING COMPLETION OF AND DIRECTING THE ENGINEERING
SERVICES DIRECTOR TO FILE A NOTICE OF ACCEPTANCE OF
COMPLETION OF THE LOS ALTOS COMMUNITY CENTER PROJECT**

WHEREAS, the Engineering Services Director has filed with the City Clerk of the City of Los Altos an Engineer's Certificate as to completion of all the work provided to be done under and pursuant to the contract between the City of Los Altos and Gonsalves and Stronck Construction Company, dated August 19, 2019; and

WHEREAS, it appears to the satisfaction of this City Council that said work under the contract has been fully completed and done as provided in said contract, and the plans and specifications therein referred to.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby finds and authorizes the following:

1. The acceptance of completion of said work.
2. That the Engineering Services Director is directed to execute and file for record with the County Recorder of Santa Clara, notice of acceptance of completion thereof, as required by law.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 26th day of October, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Neysa Fligor, MAYOR

Attest:

Andrea Chelemengos, MMC, CITY CLERK