



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
November 19, 2008**

TO: Mayor and City Council

FROM: Tim Tucker, City Engineer
Don Salts, Deputy Public Works Director

SUBJECT: Acceptance of Emergency Bank Stabilization Project

DATE: November 10, 2008

RECOMMENDATION:

Adopt resolution accepting the Emergency Creek Bank Stabilization; Alhambra Creek – Escobar Street to Marina Vista, Project Number C3007, per contract documents and instruct the City Clerk to File a Notice of Completion.

BACKGROUND:

Construction:

On October 1, 2008 the City Council authorized the City Manager to execute a contract not to exceed \$500,000, for emergency creek bank stabilization. The contractor with the lowest bid was awarded to Hess Concrete Construction Co., Inc., for construction of the subject project as per contract plans and specifications for a total bid amount of \$287,243.

The City Council authorized a base project that included more sheet piles than was shown on the bid set of plans. The total cost of this change was \$31,070. There was one additional minor Contract Change Order for \$717.48 to fill an unexpected cavern along the bank. The total cost, including change orders and actual field measurements of constructed improvements is \$323,125.48. Funding for the Change Orders came from design administration cost savings.

The Contractor has submitted the Contractor Guarantee and the Maintenance Bond, and agrees to correct any defects as per specifications for a one-year period.

Historical background:

A photograph was taken during the original construction of the Channel Improvements in the late 1990s and has been publicized recently in a Gazette news paper article and on various web sites. It appears some residents in the community questioned whether the buttressing sheet pile project was necessary.

City staff has reviewed the photographs in question and spoken with staff members employed here at the time of the original channel construction. Although the photograph reviewed by staff is not clear, it shows enough details to draw certain conclusions.

Staff believes the photo shows an un-engineered sheet pile wall along a short section of the Bertola wall. This work was apparently done by City maintenance staff during the original channel construction. No records of the design of this section of the wall or supporting structural calculations have been found.

During our recent construction, the City Inspector and City consulting biologist observed and photographed sections of the Bertola wall showing no foundations. In addition, the property owner has reaffirmed that he believes the Bertola wall was built without a foundation.

The recommendation to construct the project was based on evidence of significant recent erosion along the east bank of Alhambra Creek between Escobar Street and Marina Vista and the observation of recent cracks in the Bertola Restaurant retaining wall. A geotechnical engineer hired by the property owner and one hired by the City drew the same conclusions that buildings, retaining wall and property along this section of creek were in imminent risk of damage or failure this winter.

FISCAL IMPACT:

The project has been completed within available budgeted funds.

ACTION:

Adopt resolution accepting the Emergency Creek Bank Stabilization; Alhambra Creek – Escobar Street to Marina Vista, Project Number C3007 improvements and instructing the City Clerk file a Notice of Completion.

APPROVED BY:



City Manager

APPROVED BY:



Assistant City Manager
Community & Economic Development

APPROVED BY:



Public Works Director

RESOLUTION NO. -08

ACCEPTING THE EMERGENCY CREEK BANK STABILIZATION; ALHAMBRA CREEK
- ESCOBAR STREET TO MARINA VISTA, PROJECT NUMBER C3007
IMPROVEMENTS PER CONTRACT DOCUMENTS AND INSTRUCTING THE CITY
CLERK TO FILE A NOTICE OF COMPLETION

WHEREAS, the City of Martinez has heretofore entered into a contract with Hess Concrete Construction Co., Inc., for certain work on the Emergency Creek Bank Stabilization; Alhambra Creek - Escobar Street to Marina Vista and the Public Works Director has recommended acceptance of said work of improvement as completed in accordance with plans, specifications and approved change orders and correction lists, and in accordance with the final inspection of the Deputy Director of Public Works.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Martinez that said work is hereby accepted as completed on this 19th day of November, 2008.

BE IT FURTHER RESOLVED, that the City Clerk, be and he is hereby directed to file a Notice of Completion on said project.

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I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 19th day of November, 2008 by the following vote:

AYES:

NOES:

ABESENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ