



**CITY OF MARTINEZ**

**CITY COUNCIL AGENDA  
February 1, 2012**

**TO:** Mayor and City Council

**FROM:** Don Salts, Deputy Public Works Director

**SUBJECT:** Acceptance of the Tree Replacement Project, Highland and Nancy Boyd Parks

**DATE:** February 1, 2012

**RECOMMENDATION:**

Adopt resolution accepting the Tree Replacement Project, Highland and Nancy Boyd Parks per contract documents and instruct the City Clerk to file a Notice of Completion.

**BACKGROUND:**

The Tree Replacement Project at Highland and Nancy Boys Parks, Project No. C5013 work consisted of tree and stump removal of several large Eucalyptus, tree planting, irrigation system installation and chain link fence repair at both parks.

On March 18, 2010, a contract was awarded to Labat's Tree Care for construction of the subject project as per contract plans and specifications for a total bid amount of \$48,970. No Contract Change Orders were issued.

The City has received a Stop Notice on the project from the Department of Industrial Relations for disputed labor classifications and the wage rates that were utilized for the workers on the project. This Stop Notice requires the City to withhold the disputed amount from the contractor's progress payment until a formal release is issued. The amount of the Stop Notice is included in the final contract amount. The Contractor has a scheduled hearing on this matter later this month with the Department of industrial Relations. Once staff has been notified of the hearing results, the withheld funds will be released to the contractor or jointly to the workers and the contractor upon resolution of the Stop Notice.

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.

**FISCAL IMPACT:**

The Project was completed within the budget allocated.

**ACTION:**

Adopt resolution and filing a notice of completion for Tree Replacement Project Highland and Nancy Boyd Parks.

Attachments:

Resolution

Site Plan

**APPROVED BY:**



City Manager

RESOLUTION NO. -12

ACCEPTING THE TREE REPLACEMENT PROJECT HIGHLAND AND NANCY BOYD  
PARKS 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 Labat's Tree Care for certain work on the Tree Replacement Project Highland and Nancy Boyd Parks 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 18th day of February 1, 2012.

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

\* \* \* \* \*

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 1st day of February, 2012, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK  
CITY OF MARTINEZ



# CITY OF MARTINEZ

## COMMUNITY DEVELOPMENT DEPARTMENT

### TREE REPLACEMENT PROJECT

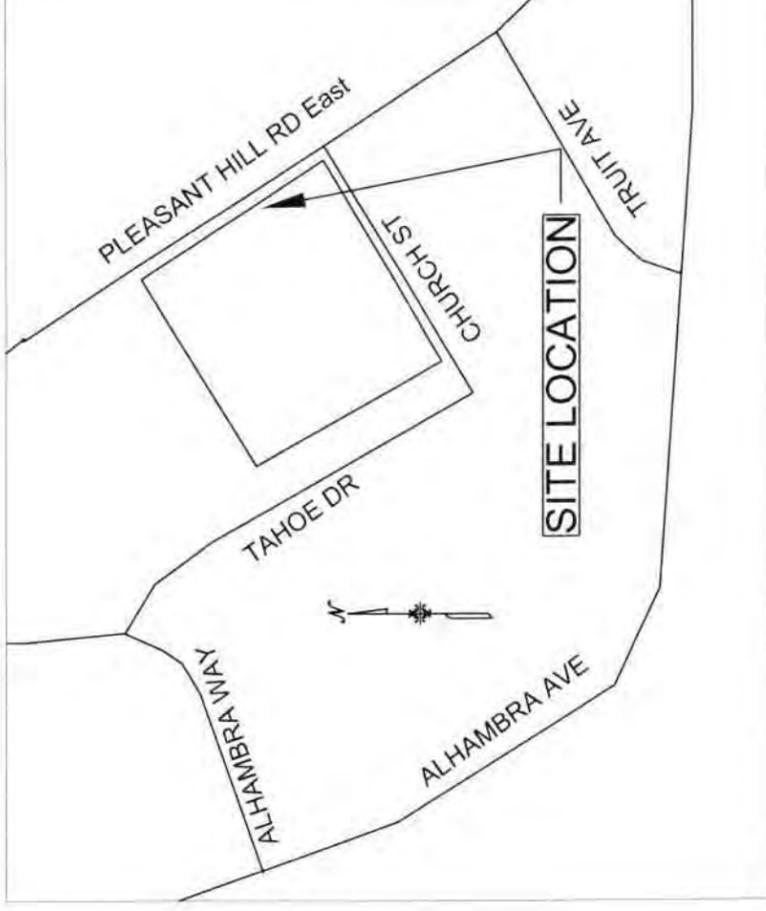
### HIGHLAND AND NANCY BOYD PARKS

**January 2010**  
PROJECT No. C5013

LEGEND	
	Eucalyptus Tree to Remove size as noted
	Stump to Remove
	15 gal. Redwood Tree to Plant

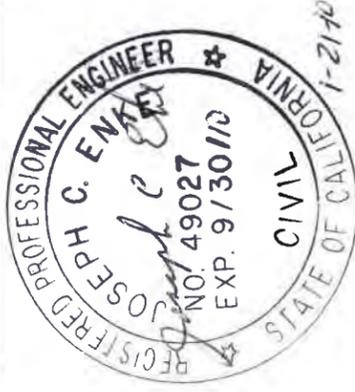


**HIGHLAND PARK**



**NANCY BOYD PARK**

SHEET INDEX
1. Title Sheet
2. Highland Park Plan
3. Highland Park Irrigation
4. Nancy Boyd Park Plan
5. Nancy Boyd Park Irrigation



**GENERAL NOTES:**

1. THE PROJECT PLANS ARE SCHEMATIC IN NATURE. THE CONTRACTOR SHALL VISIT THE SITE AND VERIFY SITE CONDITIONS BEFORE COMMENCING ANY WORK. WHEN COMPLETE THE CONSTRUCTION SITE SHALL BE FREE FROM PEDESTRIAN AND VEHICLE HAZARDS.
2. CONTRACTOR SHALL REPORT ANY DISCREPANCIES BETWEEN PLANS AND ACTUAL CONDITIONS TO THE CITY REPRESENTATIVE.
3. THE CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (U.S.A) 1-800-227-2600. AT LEAST (2) WORKING DAYS PRIOR TO BEGINNING ANY EXCAVATION.

No.	Revision	By	Date	Approved
CITY OF MARTINEZ COMMUNITY DEVELOPMENT DEPARTMENT				
TREE REPLACEMENT PROJECT TITLE SHEET				
DSGN: NR	CHKD: JE	SCALE:		
APPD: TT	DRWN: NR			
DATE: January 2010			SHEET 1	OF 5
PROJECT: C5013				