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RESOLUTION NO. 2021-92

A RESOLUTION OF THE ALBANY CITY COUNCIL TO APPROVE CHANGE ORDER #3 TO MERCOZA CONTRACT NO. C20-64 AND TO AUTHORIZE STAFF TO FILE THE NOTICE OF COMPLETION FOR PHASES 3 AND 4 OF THE SIDEWALK REPAIR PROGRAM

WHEREAS, the residents of Albany have recognized the need for safe, passable sidewalks; and

WHEREAS, in November 2016, Albany voters passed Measure P1, a parcel tax that provides revenue to support the City-sponsored Sidewalk Repair Program; and

WHEREAS, the existence of a tax-funded City sidewalk repair program does not abrogate the responsibility of property owners to maintain their frontage improvements in a safe manner, as per Section 5610 of the California Streets and Highways Code and per Albany Municipal Code Section 14-1.5b; and

WHEREAS, the City’s Transportation Commission has developed prioritization criteria for tax-funded sidewalk repair projects and approved lists of locations for Rounds 3 and 4 of Annual Sidewalk Rehabilitation Projects; and

WHEREAS, on September 8, 2020 the City Council awarded Contract No. C20-64 to Mercoza for construction of Phase 3 of the Annual Sidewalk Rehabilitation Project (Resolution No. 2020-87); and

WHEREAS, the City Council approved additional repair locations as Phase 4 of the Annual Sidewalk Rehabilitation Project under Contract Change Order #2 on December 21, 2020 (Resolution No. 2020-126); and

1 **WHEREAS**, construction is complete on both Phase 3 and Phase 4, including all
2 necessary changes to the scope discovered during construction as outlined in Contract
3 Change Order No. 3, and a Notice of Completion is required to be filed with the County
4 Recorder's Office.

5
6 **NOW, THEREFORE, BE IT RESOLVED**, that the Albany City Council hereby
7 authorizes the City Manager to execute Contract Change Order No. 3 in the not-to-exceed
8 amount of \$58,277 from previously appropriated funds for the Annual Sidewalk
9 Rehabilitation Program (CIP No. 22000), and to closeout Contract C20-64 with Mercoza;
10 and

11
12 **BE IT FURTHER RESOLVED**, that the Albany City Council accepts the
13 improvements completed in Contract No. C20-64 and authorizes the City Manager to file
14 the Notice of Completion with the County Recorder's Office.

15
16 
17 _____
18 GE'NELL GARY, MBA - MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2021-92

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 20th day of September 2021, by the following votes:

AYES: Council Members Jordan, McQuaid, Nason, Tiedemann and Mayor Gary

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 21st
day of September, 2021.

Anne Hsu
CITY CLERK