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RESOLUTION NO. 2023-73

A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #2 TO CONTRACT NO. C23-09 IN A NOT-TO-EXCEED AMOUNT OF \$159,300 FOR CONSTRUCTION OF PHASE 8 (CIP NO. 22000), AND APPROPRIATING \$229,000 IN SIDEWALK PARCEL TAX FUNDS TO THE ANNUAL SIDEWALK REHABILITATION PROGRAM

WHEREAS, the residents of Albany have recognized the need for safe, passable sidewalks to improve walkability throughout the City's entire network; and

WHEREAS, under Section 5610 of the California Streets and Highways Code and per Albany Municipal Code Section 14-1.5b, property owners and persons in possession of property are required to maintain adjacent public sidewalks in a safe condition; and

WHEREAS, in November 2016, Albany voters approved Measure P1, a parcel tax for the purposes of publicly funding repairs to the City sidewalks; and

WHEREAS, in November 2020, the City Council adopted Resolution No. 2020-108 for the FY19/20-23/24 Capital Improvement Plan (CIP) and appropriated budget for the first three fiscal years of the CIP, including funding from the Sidewalk Parcel Tax Fund (1305) for the Annual Sidewalk Rehabilitation Program (CIP No. 22000); and

WHEREAS, the City Council additionally appropriated FY22/23 budget for the Annual Sidewalk Rehabilitation Program (CIP No. 22000) in April 2023 as part of Resolution 2023-18a; and

WHEREAS, on January 26, 2023, the Transportation Commission conditionally approved the Phase 8 locations of the Sidewalk Rehabilitation Program; and

WHEREAS, on April 17, 2023, the City Council awarded Contract No. C23-09 to Villalobos & Associates for construction of Phase 7 of the Sidewalk Rehabilitation Program; and

WHEREAS, on June 20, 2023, the City Council authorized the City Manager to execute Change Order #1 to Contract No. C23-09 to Villalobos & Associates for comprehensive repairs at 1501 Washington Avenue and 602 Santa Fe Avenue; and

WHEREAS, on September 28, 2023, the Transportation Commission conferred final approval of the Phase 8 locations of the Sidewalk Rehabilitation Program; and

WHEREAS, staff reviewed Villalobos & Associates Change Order #2 proposal and found it to be highly competitive; and

WHEREAS, Villalobos & Associates has previously constructed a variety of City rightof-way projects, has demonstrated quality craftsmanship, and has proven to be swift, reliable, and familiar with the City's standards and protocols; and

WHEREAS, the Project is determined to be categorically exempt under CEQA (California Environmental Quality Act).

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes the City Manager to execute Change Order #2 to Contract No. C23-09 to Villalobos & Associates in the not-to-exceed amount of \$159,300; and

BE IT FURTHER RESOLVED, that the City Council appropriates \$229,000 from Sidewalk Parcel Tax revenues (Fund 1305) to the Annual Sidewalk Rehabilitation Program (CIP No. 22000) and authorizes adjustment of the program budget accordingly.

AARON TIEDEMANN, MAYOR



City of Albany

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

RESOLUTION NO. 2023-73

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

The 6th day of November, 2023, by the following votes:

AYES: Council Members Hansen-Romero, Jordan, López, Miki and Mayor

Tiedemann

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

7th day of January, 2023.

Anne Hsu

CITY CLERK