



# FAIRFAX TOWN COUNCIL MEETING

## STAFF REPORT

<b>MEETING DATE</b>	January 9, 2024
<b>PREPARED FOR</b>	Mayor and Town Council
<b>PREPARED BY</b>	Loren Umbertis, Public Works Director
<b>SUBJECT</b>	Adopt a Resolution for the Approval of the Notice of Completion for the 103 Rocca Drive Retaining Wall Repair and Road Re-stabilization Project

### **RECOMMENDATION**

Adopt the resolution authorizing the Town Manager to issue a Notice of Completion for the 103 Rocca Drive Retaining Wall Repair and Road Re-stabilization Project.

### **DISCUSSION**

On September 4, 2024, the Town Council authorized the Town Manager to award the 103 Rocca Drive Retaining Wall Repair and Road Re-stabilization construction contract to RWR, Inc for the total price of \$234,643. The Council also approved a project contingency of \$23,464 for a total not to exceed \$258,107.

A total of \$33,462 in additive change orders were approved for the project related to additional mobilization costs to accommodate Ross Valley Fire request to maintain emergency access during the construction period which necessitated daily mobilization of construction equipment to and from the site (\$32,151 approved by Council on November 6, 2024), and a minor change to the design of a guardrail (\$1,311). RWR's project scope was completed on December 14, 2024 for a total cost of \$268,105.

The work was substantially completed prior to the onset of winter rains which had the wall not been in place, could have led to significant complications or additional erosion or damage to the street.

Upon the recordation of the Notice of Completion, staff will make final payments to RWR, Inc for their work.

### **FISCAL IMPACT**

The total project cost was \$268,105, which represents approximately a 14% increase in cost over original contract not including contingency. The project was budgeted in FY 24-25 Capital Improvement Project 51-845 for \$250,000.

### **ATTACHMENT**

- A. Notice of Completion
- B. Resolution

WHEN RECORDED RETURN TO  
Department of Public Works  
Town of Fairfax  
142 Bolinas Road  
Fairfax, CA 94930

(Space above this line for recorder's use only- Record without fee per Government Code Section 27383)

### NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the undersigned Town of Fairfax, 142 Bolinas Road, owners, caused certain construction work to be performed within the County of Marin, which work is generally described as follows (including address):

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The 103 Rocca Retaining Wall and Road Rehabilitation Project. Project includes construction of retaining wall, guard rail and associated road repavement.

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That the contract for the performance of such work was awarded to RWR Construction, Inc and that said work was completed on the 13th day of December, 2024, and that said RWR Construction, Inc., was the contractor.

This notice is given pursuant to Section 3094 and 3129 of the Civil Code of the State of California.

<p>This is to certify that the Notice of Completion above is hereby authorized by minute action of the Town Council of the Town of Fairfax on January 9, 2025, and owner consents to recordation thereof by its duly authorized officer.</p>	<p style="text-align: center;"><b>TOWN OF FAIRFAX</b> <b>A MUNICIPAL CORPORATION</b></p> <p>I declare under penalty of perjury that the information is true and correct.</p> <p><u>BY</u> _____</p> <p>Loren Umbertis Public Works Director</p> <p><u>Dated:</u> _____</p>
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**RESOLUTION 25-**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX  
DIRECTING THE ISSUANCE OF A NOTICE OF COMPLETION FOR THE 103 ROCCA DRIVE  
RETAINING WALL AND RESTABILIZATION PROJECT**

**WHEREAS**, on September 4, 2024, the Town Council authorized the Town Manager to award the 103 Rocca Drive Retaining Wall Repair and Road Restabilization construction contract to RWR, Inc., in the amount of \$234,643, with a project contingency of \$23,464, for a total projected cost of \$258,107; and

**WHEREAS**, staff approved \$33,462 in change orders, including \$32,151 authorized by Council on November 6, 2024 for additional mobilization costs required to maintain emergency access per Ross Valley Fire's request, and \$1,311 for a minor design adjustment to the guardrail; and

**WHEREAS**, the project was substantially completed prior to the onset of winter rains, with final completion achieved on December 14, 2024, for a total project cost of \$268,105, representing an approximately 14% increase over the original contract amount, excluding contingency; and

**WHEREAS**, all invoices associated with the project have been reviewed, approved, and paid in full by staff;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Fairfax hereby:

1. Accepts the work completed by RWR, Inc. for the 103 Rocca Drive Retaining Wall and Road Restabilization Project as complete; and
2. Directs the Town Manager to issue a Notice of Completion for the project.

The foregoing resolution was duly passed and adopted by the Town Council of the Town of Fairfax at a duly noticed meeting held on January 9, 2025, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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LISEL BLASH  
MAYOR

ATTEST

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CHRISTINE FOSTER  
DEPUTY TOWN CLERK

ATTACHMENT B