



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

**Prepared by: Bill Guerin,
Director of Public Works**

City Manager Approval:  _____

TOPIC: THIRD STREET AT HETHERTON STREET IMPROVEMENTS NOTICE OF COMPLETION

SUBJECT: ACCEPT COMPLETION OF THE THIRD STREET AT HETHERTON STREET IMPROVEMENTS PROJECT (CITY PROJECT NO. 11320), AND AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION

RECOMMENDATION: Accept completion of the Third Street at Hetherton Street Improvements Project and authorize the City Clerk to file the Notice of Completion.

BACKGROUND: The intersection at Third Street and Hetherton Street is one of the most heavily congested locations in San Rafael. It is highly traversed by pedestrians traveling between the downtown area, Caltrans Park-and-Ride lots, nearby schools, the SMART train station, and the San Rafael Transit Center.

The Third Street at Hetherton Street Improvements project is comprised of many safety improvements to the intersection. First, the removal of the southern crosswalk that previously was used to cross Hetherton and have pedestrians cross both left turn lanes from Third Street. Second, the installation of a northern crosswalk which improves pedestrians' visibility and allows them to cross Hetherton more safely. In addition to traffic signal safety improvements, the project included the [installation of a Miovision camera](#) to improve the traffic signals' operation and automation.

On December 11, 2019, the project was advertised in accordance with San Rafael's Municipal Code, and sealed bids were publicly opened and read aloud January 29, 2020 at 10:00 AM. On [February 18, 2020](#), the City Council adopted a resolution authorizing the City Manager to enter into an agreement with the low bidder, Ghilotti Bros. Inc. in the amount of \$398,983 and approving a construction contingency of \$61,017 for a total appropriation in an amount of \$460,000. Construction commenced on May 19, 2020, and all work was completed on November 19, 2020.

ANALYSIS: Pursuant to Civil Code Section 3093, the City is required to record a Notice of Completion upon City acceptance of the improvements. This acceptance initiates a time period during which project subcontractors may file 'Stop Notices' seeking payment from the City from the funds owed to the Contractor for the project work.

FISCAL IMPACT: No fiscal impact is associated with this report. The project was funded by Federal Highway Safety Improvement Program grant funds.

FOR CITY CLERK ONLY

File No.:

Council Meeting:

Disposition:

RECOMMENDED ACTION: Accept completion of the Third Street at Hetherton Street Improvements Project and authorize the City Clerk to file the Notice of Completion.

ATTACHMENTS:

1. Notice of Completion

Recording Requested By:
The City of San Rafael

When Recorded Mail To:
Lindsay Lara, City Clerk
1400 Fifth Avenue
San Rafael, CA 94901

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§ 6103, 27383

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

NOTICE OF COMPLETION
Civil Code §§ 8182, 8184, 9204, and 9208

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the agent of the owner of the Project described below.
2. Owner's full name is City of San Rafael ("City")
3. City's address is 1400 5th Ave, San Rafael, CA 94901
4. The nature of City's interest in the Project is:
 Fee Ownership Lessee Other: Public Right of Way Easement
5. Construction work on the Project performed on City's behalf is generally described as follows: Removal of crosswalk, installation of new signal poles, traffic signal detection camera, striping and signage, and the installation of ADA curb ramps, sidewalk, and vertical curb and gutter.
6. The name of the original Contractor for the Project is: Ghilotti Bros. Inc.
7. The Project was accepted as complete on: November 19, 2020.
8. The Project is located at: The intersection of Third and Hetherton Streets

Verification: In signing this document, I, the undersigned, declare under penalty of perjury under the laws of the State of California that I have read this notice, and I know and understand the contents of this notice, and that the facts stated in this notice are true and correct.

Date and Place

Signature

Bill Guerin, Director of Public Works

*EXEMPT FROM NOTARY ACKNOWLEDGMENT REQUIREMENTS PER
GOVERNMENT CODE § 27287 AND CIVIL CODE § 9208*