

RESOLUTION NO. 7-25

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, AUTHORIZING A FIRST AMENDMENT TO THE CONSTRUCTION
AGREEMENT BETWEEN TO THE CITY OF RICHMOND AND W.R. FORDE
ASSOCIATES, INC. FOR THE 37TH STREET BICYCLE & PEDESTRIAN
IMPROVEMENTS PROJECT**

WHEREAS, on June 6, 2018, City Council awarded a construction contract to W.R. Forde Associates, Inc., for the 37th Street Bicycle & Pedestrian Improvements Project for an amount not to exceed \$804,541; and

WHEREAS, the Project limits are Barrett Avenue to Cerrito Avenue. The scope of work includes new signal poles, pedestrian push buttons, and pedestrian countdown signal between Center Avenue and Cerrito Avenue; traffic striping; reducing from four to three travel lanes with bike lanes from Center Avenue to Barrett Avenue; and installation of bike lanes with no reduction in travel lanes from Barrett Avenue to Cerrito Avenue; and

WHEREAS, during construction, delays and unforeseen existing conditions required that additional work be performed outside of the original contract scope; and

WHEREAS, a final change order was required to address additional unforeseen project conditions, time-related overhead, extended general conditions, and unanticipated field labor due to project schedule impacts which extended the project beyond the contractual complete date. The negotiated final change order amount exceeded the remaining contingency by \$121,237; and

WHEREAS, City staff is now recommending that the City Council approve the first amendment to the construction agreement between the City of Richmond and W.R. Forde Associates, Inc., increasing the contract amount by \$121,237, resulting in an amended total contract amount not to exceed \$925,778, to cover the costs associated with the final change order; and

WHEREAS, the approval of this amendment will allow for the final payment to be made to W.R. Forde Associates, Inc., and will facilitate the official closure of the project.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds the above recitals are true and correct and have served, together with the Agenda Report, as the basis for the findings and actions set forth in this Resolution.

BE IT FURTHER RESOLVED that the City Council hereby authorizes an amendment to the construction contract with W.R. Forde Associates, Inc. for the 37th Street Bicycle & Pedestrian Improvements Project to increase the contract amount by \$121,237, resulting in an amended total contract amount not to exceed \$925,778.

BE IT FURTHER RESOLVED that the City Council hereby appropriates funds in the amount of \$46,288.37 in the SB1 RMRA Fund 1019 to enable the final payment to be made to W.R. Forde Associates Inc.

BE IT FURTHER RESOLVED that the City Council hereby accepts the construction of the 37th Street Bicycle & Pedestrian Improvements Project by W.R Forde Associates, Inc. as complete, authorizes the City Clerk to record the Notice of Completion with the Contra Costa County Recorder, and authorizes the City Engineer to release any applicable bonds and retention payments.

BE IT FURTHER RESOLVED that the City Council designates the City Clerk as the custodian of the documents and other materials which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the City Clerk at the Richmond City Hall, 450 Civic Center Plaza, Richmond, California 94804.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held January 21, 2025, by the following vote:

AYES: Councilmembers Bana, Brown, Jimenez, Robinson, Wilson, Vice Mayor Zepeda, and Mayor Martinez.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

PAMELA CHRISTIAN

 CLERK OF THE CITY OF RICHMOND
 (SEAL)

Approved:
EDUARDO MARTINEZ
 Mayor

Approved as to form:
DAVE ALESHIRE
 City Attorney

State of California }
 County of Contra Costa } : ss.
 City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 7-25**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on January 21, 2025.



 Pamela Christian, Clerk of the City of Richmond