

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
TO ACCEPT IMPROVEMENTS FOR THE CAMPBELL PRIORITY DEVELOPMENT
AREA ENHANCEMENTS ON CIVIC CENTER DRIVE AT SECOND AND THIRD
STREETS PROJECT NO. 25-DD; DIRECT THE CITY ENGINEER TO FILE THE
NOTICE OF COMPLETION; AND AUTHORIZE THE FINANCE DIRECTOR TO
PERFORM A FUTURE BUDGET ADJUSTMENT**

WHEREAS, the City Council adopted Resolution #13221 approving the plans and specifications and authorizing the solicitation of bids for the Campbell Priority Development Area Enhancements on Civic Center Drive at Second and Third Streets Project No. 25-DD (Project); and

WHEREAS, the City Council adopted Resolution #13228 authorizing an increased amount of \$815,471 plus a 10% contingency totaling \$896,971 and approving the award of the construction contract to Guerra Construction Group; and

WHEREAS, the construction contract was fully executed on December 18, 2024.; and

WHEREAS, as of January 5, 2026, the project was completed in accordance with the approved plans and specifications; and

WHEREAS, the final construction contract cost was \$782,704 which is \$114,267 lower than the authorized amount of \$896,971; and

WHEREAS, a savings of approximately \$92,000 after the project completion came from deleting and modifying some of the contract work to conform to existing field conditions; and

WHEREAS, staff recommends transferring the project balance to the next phase of the Campbell Priority Development Area Enhancements Project (Phase II) at the intersection of Orchard City Drive and North Central Avenue; and

WHEREAS, the City is withholding \$39,135 in retention as security for fulfillment of the contract by the contractor; and

WHEREAS, a Notice of Withholding of Contract Payments will be sent in accordance with Labor Code Section 1742 and 1771.6 to the prime contractor advising an estimated maximum wage restitutions to workers, liquidated damages, and penalties; and

WHEREAS, notwithstanding any moneys included in the Notice of Withholding, the retention balances are released 35 days following the filing of the Notice of Completion with the Santa Clara County Recorder's Office.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell hereby 1) accept the improvements for the Campbell Priority Development Area Enhancements on Civic Center Drive at Second and Third Streets Project No. 25-DD; 2) direct the Public Works Director to file the Notice of Completion; and 3) authorize the Finance Director to perform a future budget adjustment transferring any project balance

to future phase of the Campbell Priority Development Area Enhancements Project on Orchard City Drive and North Central Avenue.

PASSED AND ADOPTED this ____ day of _____ 2026, by the following roll call vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

APPROVED:

Daniel E. Furtado, Mayor

ATTEST:

Andrea Sanders, City Clerk