



Legislation Details (With Text)

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**Title:** Staff Report for a Resolution to Authorize the City Manager to Negotiate and Approve Individual and Cumulative Change Orders of Up to \$279,927 for Additional Sidewalk and Accessibility Ramp Work with Rosas Brothers Construction for the Annual Sidewalk Repair Program 2013-14; Project No. 2014.0060

**Sponsors:** Keith Cooke

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Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council	Received and Filed	Pass

Staff Report for a Resolution to Authorize the City Manager to Negotiate and Approve Individual and Cumulative Change Orders of Up to \$279,927 for Additional Sidewalk and Accessibility Ramp Work with Rosas Brothers Construction for the Annual Sidewalk Repair Program 2013-14; Project No. 2014.0060

**SUMMARY AND RECOMMENDATIONS**

This project provides for the removal and replacement of damaged concrete sidewalks, driveway approaches, curbs and gutters, and the installation of sidewalk curb ramps throughout the City.

Staff recommends that the City Council authorize a Contract Change Order Limit of Up to \$279,927 for the subject project resulting in a total contract of \$577,912.95. The project budget has sufficient funds to fund the increased cost.

**BACKGROUND**

In 2013, by Resolution No. 2013-147, the City Council awarded a construction contract for the subject project to Rosas Brothers Construction.

This project primarily assists homeowners in making repairs to their sidewalk frontage, driveways, curbs and gutters. Under San Leandro Municipal Code section 5-1-415, property owners are responsible for the maintenance and repair of the sidewalks in front of and on the side of their properties. Tenants are responsible for reporting dangerous conditions of sidewalks to the City. Additionally, sidewalk curb ramps are installed in locations requested by users, as well as those locations where curb ramps were absent. Property owners can request sidewalk frontage repair at

any time while the contract is active. Typically, there is increased interest from property owners once work on adjacent properties' frontages are completed.

Concurrent with the construction of this project, the Annual Street Sealing 2013-14 project, which also required installation of curb ramps, began construction. The Annual Street Sealing 2013-14 project was required to construct curb ramps adjacent to streets scheduled for cape seal in order to comply with new Americans with Disabilities Act (ADA) requirements for street maintenance projects.

During the time of construction, staff incorporated the curb ramps required on the Street Sealing project into the Sidewalk Repair project. This action reduced overall costs of the Street Sealing project and was cost effective because the contract unit prices in the Sidewalk Repair project were below market prices at the time. The Street Sealing project had sufficient budget to pay for the work.

### **Analysis**

The addition of the curb ramp work from the Street Sealing project to the Annual Sidewalk Repair program contract consumed a significant amount of the authorized contract value. However, because the curb ramp work was paid for from the Street Sealing project accounts, the sidewalk project still had unused appropriations, which could be used to meet outstanding property owner requests for sidewalk repair.

Incorporating the ramps needed in the Street Sealing project allowed the City to meet its ADA obligations, improved accessibility, allowed for savings in bid items resulting from the favorable bid prices, and allowed for timely construction of the curb ramps needed in the Street Sealing project, while avoiding costly delays. Subsequently the Engineering & Transportation Department has revised its procedures to issue separate contracts for curb ramps to accommodate the Street Sealing and Rehabilitation projects rather than adding a change order to the Annual Sidewalk Repair Program contract.

### **Previous Actions**

- On November 18, 2013, by Resolution No. 2013-147, the City Council awarded the construction contract for the project to Rosas Brothers Construction.

### **Applicable General Plan Policies**

- Policy T-3.6 Pedestrian Environment. Improve the walkability of all streets in San Leandro through the planning, implementing, and maintaining of pedestrian supportive infrastructure.
- Policy T-3.7 Removing Barriers to Active Transportation. Reduce barriers to walking and other forms of active transportation such as incomplete or uneven sidewalks, lack of wheelchair ramps and curb cuts, sidewalk obstructions including cars parked on sidewalks, trail gaps, wide intersections, and poor sidewalk connections to transit stops.

### **Environmental Review**

This project is categorically exempt pursuant to subsection (c) of section 15301 of the CEQA Guidelines. A CEQA Categorical Exemption for this project was filed with Alameda County on

September 24, 2013.

**Fiscal Impacts**

The total project costs, including staff time for design and construction management, will be \$622,242 and will be funded from the approved project funds listed below.

**Budget Authority**

No new appropriation is required for this project. The following is a summary of funding used for this construction and contractor:

<u>Account No.</u>	<u>Appropriation Dates &amp; Resolution</u>	<u>Adopted</u>
144-38-006	June 3, 2013; 13-072	\$225,180
144-36-006	June 3, 2013; 13-072	\$125,089
165-43-233	June 3, 2013; 13-072	\$31,139
150-36-005	June 3, 2013; 13-072	<u>\$66,202</u>
Subtotal - Sidewalk Repair Program Appropriations		\$447,610

Sidewalk Program Funds Applied to Change Order

144-38-006	Measure B	\$ 4,748
144-36-006	Measure B	(\$974)
165-38-006	CDBG	\$70,101
150-36-005	TDA	\$5,452
150-36-007	TDA	\$71,898
210-38-356	<u>Access Ramp Install Program</u>	<u>\$23,407</u>
Subtotal - Sidewalk Repair Program Reimbursements		\$174,632

Total Project Appropriations & Reimbursements \$622,242

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