



Legislation Details (With Text)

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**Type:** Staff Report      **Status:** Filed  
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**Title:** Staff Report for a City of San Leandro City Council Resolution to Award a \$339,588 Construction Contract to FBD Vanguard Construction, Inc. for the Annual Street Sealing 2019-2020 - Curb Ramp Upgrade Phase, Project No. 2020.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$16,979) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 25% (or \$84,895) of the Original Contract Amount

**Sponsors:** Keith Cooke

**Indexes:**

**Code sections:**

**Attachments:** 1. Bid Summary - Annual Street Sealing 19-20 Curb Ramp Upgrade Phase\_-signed

Date	Ver.	Action By	Action	Result
6/15/2020	1	City Council	Received and Filed	Pass

Staff Report for a City of San Leandro City Council Resolution to Award a \$339,588 Construction Contract to FBD Vanguard Construction, Inc. for the Annual Street Sealing 2019-2020 - Curb Ramp Upgrade Phase, Project No. 2020.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$16,979) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 25% (or \$84,895) of the Original Contract Amount

**SUMMARY AND RECOMMENDATIONS**

This contract provides for the installation or upgrade of approximately thirty-eight (38) concrete curb ramps in the 2020 Asphalt Maintenance Zone work area. The asphalt maintenance treatment contract work will be awarded as a separate construction contract.

Staff recommends the following actions:

- Award a construction contract to FBD Vanguard Construction, Inc. for \$339,588;
- Authorize the City Manager to negotiate and approve individual change orders up to 5% (or \$16,979) of the original contract amount; and
- Authorize the City Manager to negotiate and approve change orders up to a cumulative value of 25% (or \$84,895) of the original contract amount.

**BACKGROUND**

The Americans with Disabilities Act (ADA) mandates construction of curb ramps at street intersections when roadway pavement is replaced, overlaid, or treated with a cape seal. This

contract will install ramps at locations scheduled for pavement work as part of the upcoming Annual Street Sealing Fiscal Year 2019-2020 project. The contract will install new ramps at locations where none exist and upgrade existing non-compliant ramps. This contract will install upgrades to approximately thirty-eight (38) concrete curb ramps.

Curb ramps are a vital component of pedestrian travel. Curb ramps allow wheelchair users to safely cross streets. Curb ramps make sidewalks accessible, regardless of physical ability. Each curb ramp includes a panel of raised domes to warn the vision impaired of a street crossing.

Construction of the Annual Street Sealing 2019-20 project is subdivided into three phases; concrete ramps, sewer point repairs, and pavement sealing. The work is split into three contracts because each phase is typically performed by a specialty contractor who generally doesn't act as a general contractor. This process of phasing the project was performed successfully in the past. Phasing this project also allows for the preparatory work associated with the sealing project, such as curb ramp upgrade and sanitary sewer point repair to be bid earlier, before the pavement sealing work is fully designed.

### **Analysis**

Bids were opened on May 6, 2020. Seven (7) bids were received ranging between \$320,770 and \$613,840. The pre-bid engineer's estimate for construction was \$437,310. Staff recommends award to the lowest responsive bid and responsible bidder, FBD Vanguard Construction, Inc. Staff verified the contractor has a valid Contractor's State License Board license and is registered with the California Department of Industrial Relations.

The lowest bid was received from Villalobos & Associates. However, Villalobos & Associates failed to meet the Local Business Participation criteria. Its Good Faith Efforts included meeting 4 of the items listed on the Local Business Outreach Form, but a minimum of 5 items is required, thus, Villalobos & Associates' bid was deemed non-responsive. FBD Vanguard Construction, Inc. is deemed the lowest responsible bidder. FBD Vanguard's Local Business Participation Goal was met by successfully completing 6 items listed on the Local Business Outreach Form. One local business, Silman Industries, submitted a bid; however, they were not the lowest bidder even with the local business preference bid reduction applied to its bid. This project is subject to the provisions of the Community Workforce Agreement (CWA) because it is part of a larger project that has been split into smaller contracts, which cumulatively trigger CWA requirements.

As is standard in the construction industry, staff balanced site investigation costs with the risk of finding unforeseen conditions during construction as well as the design costs with the level of detail on the plans. As a result, unforeseen conditions may be encountered during construction and plan details may need to be adjusted or clarified. In order to minimize delays to the project and ensure that the scope of work is adjusted as needed to provide the highest quality project for the City, staff requests authorization to negotiate and approve change orders. Therefore, staff requests authority to negotiate and approve individual change orders up to 5% (\$16,979) of the original contract amount and cumulative change orders up to 25% (\$84,895) of the original contract amount. This will ensure the efficient completion of the project on budget and on schedule.

### **Current Agency Policies**

- Maintain and enhance San Leandro’s infrastructure

**Applicable General Plan Policies**

**Transportation Goal T-2** Design and operate streets to be safe, attractive, and accessible for all transportation users whether they are pedestrians, bicyclists, transit riders or motorists, regardless of age or ability.

**Transportation Goal T-3** Promote and accommodate alternative, environmentally-friendly methods of transportation, such as walking and bicycling.

**Transportation Goal T-5** Improve major transportation arteries for circulation in and around the city.

**Environmental Review**

This project is categorically exempt from California Environmental Quality Act (CEQA) per Section 15301(c) of the CEQA guidelines. The Notice of Exemption was filed with the Alameda County Recorder on February 7, 2020.

**Summary of Public Outreach Efforts**

- The Notice to Bidders was published in the Daily Review, the South County Post, Visión Hispana and Sing Tao.
- Staff also notified twenty-three builders’ exchanges and construction data firms as well as a list of contractors that asked to be notified of bidding opportunities via email.
- The project is described on the Engineering and Transportation Department website.

Two mandatory pre-bid meetings were held on April 16 and April 20, 2020. The intent of these meetings was to inform bidders of the project details, including the City’s Local Inclusion Ordinance and the CWA.

Prior to construction, staff will notify the residents in the immediate proximity of the work areas. The contractor will also provide notification in the form of door hangers immediately before the work.

**Fiscal Impacts**

The total project cost is estimated at \$3,500,000 as follows:

Design and Bid (ramps, seal, sewer):	\$125,000
Construction Contract Curb Ramps:	\$339,588
Construction Contingency Curb Ramps	\$84,895
Construction Contract Pavement Sealing:	\$1,670,000
Construction Contingency Pavement Sealing	\$200,400
Construction Contract Sanitary Sewer Point repair	\$728,000
Construction Contingency Sewer Point Repairs:	\$182,000
<u>Construction Management and Inspection (ramps, seal, sewer):</u>	<u>\$170,117</u>
<b>Project Total</b>	<b>\$3,500,000</b>

**Budget Authority**

The work will be funded by the following appropriations:

<u>Account No.</u>	<u>Source</u>	<u>Fiscal Yr.</u>	<u>Amount</u>
143-38-412	Vehicle Registration Fees	FY19-20	\$400,000
144-38-412	Measure B Streets	FY19-20	\$1,500,000
210-38-412	General Fund	FY19-20	\$600,000
593-52-270	WPCP Enterprise Fund	FY18-19	\$500,000
593-52-277	WPCP Enterprise Fund	FY19-20	\$500,000
<b>Total Project Appropriation:</b>			<b>\$3,500,000</b>

**ATTACHMENT**

- Bid Summary - Annual Street Sealing 2019-20 - Curb Ramp Upgrade Phase

**PREPARED BY:** John O'Driscoll, Associate Engineer, Engineering and Transportation Department