



Legislation Details (With Text)

**File #:** 22-500      **Version:** 1      **Name:** Award Const Contract for Adaptive Signal (SR and Res)  
**Type:** Staff Report      **Status:** Filed  
**In control:** City Council  
**On agenda:** 10/3/2022      **Final action:** 10/3/2022  
**Enactment date:**      **Enactment #:** 2022-166

**Title:** Adopt a Resolution to Approve and Authorize the City Manager to Award a Construction Contract to Bear Electrical Solutions, Inc. for \$380,700, for the Adaptive Control System Upgrade - Marina Boulevard, Project No. 2014.0460; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount; and to Appropriate \$145,000.00 for the Project in Fiscal Year 2022-2023

**Sponsors:** Sheila Marquises

**Indexes:**

**Code sections:**

**Attachments:** 1. Att A - Reso 2022- Bear Electrical Solutions, Inc. Contract, 2. Att B - Bid Summary - Project No. 2014.0460

Date	Ver.	Action By	Action	Result
10/3/2022	1	City Council	Received and Filed	Pass

Adopt a Resolution to Approve and Authorize the City Manager to Award a Construction Contract to Bear Electrical Solutions, Inc. for \$380,700, for the Adaptive Control System Upgrade - Marina Boulevard, Project No. 2014.0460; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount; and to Appropriate \$145,000.00 for the Project in Fiscal Year 2022-2023

**COUNCIL PRIORITY**

- Public Safety
- Infrastructure

**SUMMARY**

This contract provides for the installation of fiber optic communication lines and associated traffic signal improvements over a 1.2-mile-long section of Marina Boulevard between Merced Street and Washington Avenue.

**RECOMMENDATIONS**

Staff recommends the following actions:

- Award a construction contract to Bear Electrical Solutions, Inc. for \$380,760.00
- Authorize the City Manager to negotiate and approve individual change orders up to 5% (or

\$19,038.00) of the original contract amount

- Authorize the City Manager to negotiate and approve change orders up to a cumulative value not to exceed 25% (or \$95,190.00) of the original contract amount
- Appropriate \$145,000.00 in Vehicle Registration Fee funds from Account No. 143-38-392 to the subject project in Account No. 143-28-196.

## **BACKGROUND**

San Leandro would like to synchronize City traffic signals with adjacent Caltrans traffic signals on Marina Boulevard using an Adaptive Traffic Control System (ATCS). ATCS is a traffic management strategy in which traffic signal timing responds to real time traffic demand to improve efficiency and reduce traffic congestion.

The project will install new fiber optic communication cables, including associated splice enclosures and ethernet switches in an existing conduit between Merced Street and Washington Avenue. The system will include one camera at each intersection for vehicle detection, a video processor in the cabinet, and video camera cabling within the intersection. This project will update incompatible Caltrans signal equipment at three intersections so that they can communicate with the adjacent City signals. These Caltrans intersections are Marina Boulevard and Kaiser Way; Marina Boulevard and I-880 southbound on- and off-ramp; and Marina Boulevard and I-880 northbound on-ramp within San Leandro. The project will replace the existing CPU card in each of these signal controllers with a City-provided CPU card with adaptive system software.

Completion of this project will allow traffic signals in this segment of Marina Boulevard to communicate with the City's central Traffic Operations Center for monitoring, timing synchronization, and traffic congestion management.

## **Analysis**

On July 20, 2022, City opened bids for the subject project. Three bids were received ranging between \$380,700.00 and \$679,650.00. The pre-bid Engineer's Estimate for construction was \$255,200.00. Staff recommends award to the lowest responsive bidder, Bear Electrical Solutions, Inc., who submitted the lowest responsive bid of \$380,700.00. Staff verified the contractor has a valid Contractor's State License Board license and is registered with the California Department of Industrial Relations.

All three bidders complied with the City's Local Inclusion Policy Ordinance. The low bidder, Bear Electrical Solutions, provided documentation that it will source materials worth over 25% of the bid cost using a local supplier (Edges Electrical Group). The second low bidder, Columbia Electric, is a local San Leandro Business. The third lowest bidder, Ray's Electric, provided documentation of its efforts to include San Leandro businesses in its bid. This project is not subject to the provisions of the Community Workforce Agreement (CWA) since those provisions only apply to contracts exceeding \$1,000,000 in value.

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. To minimize delay to the project and ensure that the scope of work is adjusted as needed to provide the highest quality project, staff requests that the City Council authorize the City Manager or her designee to negotiate and approve individual change

orders up to 5% (\$19,038.00) of the original contract amount. In addition, staff requests authority to negotiate and approve cumulative change orders up to 25% (\$95,190.00) of the original contract amount. While this level of cumulative change orders is relatively high, this will help to ensure efficient completion of the project on budget and on schedule.

The low bid is 49.2% higher than the engineer's estimate and additional funding is necessary to fund this project's construction with suitable contingency. A challenging bidding climate, as well as significant economic inflation, contributed to this larger than expected bid. Three responsive bids were received and re-bidding the project is not expected to result in a lower cost.

Staff recommends that \$145,000.00 in unused funds in the Vehicle Registration Fee funding from the Street Overlay / Rehabilitation 2017-18 project in account 143-38-392 be appropriated to the Adaptive Traffic Signal - Marina Boulevard project. Work on the Overlay / Rehabilitation project 2017-18 is complete and these funds are no longer needed for that project.

### **Current Agency Policies**

- Maintain and enhance San Leandro's infrastructure

### **Applicable General Plan Policies**

- Policy T-2.4 Connectivity. Ensure that the design of streets and other transportation features helps to better connect the city's circulation network and facilitate safer and more convenient travel between San Leandro and surrounding communities
- Policy T-5.4 Traffic Flow Improvements. Use a variety of technology-driven measures to improve traffic flow at congested intersections
- Policy T-5.7 Technology and Roadway Efficiency. Use technology, including smartphone applications, roadway sensors, and real time data on congestion, travel time, and parking supply to create a more efficient transportation system, and to maximize the benefits of the existing road system before investing in its expansion

### **Previous Actions**

- On July 20<sup>th</sup>, 2020, by Resolution No. 2020-91, the City Council approved amendment 1 for the existing Consultant Services Agreements with DKS Associates, Fehr and Peers, and W-Trans for on-call transportation engineering services. Fehr and Peers design consulting work for this project was performed under this agreement.
- On March 2, 2020, by Resolution No. 2020-023 the City Council authorized the City Manager to negotiate and execute Amendment 1 to the 1995 Agreement for Maintenance of State Highways in the City of San Leandro and the Freeway Maintenance Agreement (04-ALA 880 PM 22.6/24) both of which are between the State of California (Caltrans) and the City of San Leandro. The purpose of the agreement is to provide for distribution of maintenance costs with Caltrans, including adaptive signal improvements.

### **Permits and/or Variances Granted**

An encroachment permit was obtained from the California Department of Transportation for the fiber optic and traffic signal improvements within Caltrans right of way.

An electrical permit will be obtained by the contractor from the City's Community Development Department.

**Environmental Review**

This project is Categorically Exempt per California Environmental Quality Act (CEQA) Section 15302 (c) of the CEQA guidelines. A Notice of Exemption was filed with the Alameda County Recorder's Office on May 24, 2018.

**Summary of Public Outreach Efforts**

The Notice to Bidders was published in the Daily Review, the South County Post, Visión Hispana and World Journal. Staff also notified local 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 pre-bid meetings were held on June 29<sup>th</sup>, 2022, and July 7<sup>th</sup>, 2022, respectively, with potential bidders. Representatives from six different construction firms attended these pre-bid meetings.

**Legal Analysis**

Bear Electrical Solutions, Inc. has agreed to the terms of the contract.

**Financial Impacts**

The current estimated of cost of this project is \$645,000 as detailed below:

Design and Bid	\$150,000
Construction Contract (Bear Electrical Solutions, Inc)	\$380,700
Construction Management & Inspection	\$19,110
<u>Construction Contingencies</u>	<u>\$95,190</u>
Total Cost:	\$645,000

Sufficient funds are included in the Fiscal Year 2022-2023 General Fund budget for this project as follows:

*Existing project appropriation:*

- Developer Funded Street Improvement (DFSI) Funds in Capital Improvement Fund Account 120-28-196 \$500,000

*Requested re-appropriation of existing funds:*

- Vehicle Registration Fee (VRF) funds currently appropriated for the Street Overlay / Rehabilitation 2017-18 project in account 143-38-392 be appropriated for this project in account 143-28-196 \$145,000
- Total \$645,000

This Council action will not impact fund balance because there are funds available in the FY2022-

2023 adopted budget.

**ATTACHMENTS:**

- Attachment A - Resolution 2022 - Bear Electrical Solutions, Inc. Contract
- Attachment B - Bid Summary - Project No. 2014.0460

**PREPARED BY:** Mark Goralka, Associate Engineer, Engineering and Transportation Department