



Legislation Text

File #: 23-162, **Version:** 1

Adopt a Resolution to Award a \$893,400 Construction Contract to Sposeto Engineering Inc. for the Curb Ramp Upgrades for Annual Street Seal 2021-2023 Project, Project No. 2022.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$44,670) 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 \$223,350) of the Original Contract Amount

COUNCIL PRIORITY

- Infrastructure

SUMMARY AND RECOMMENDATIONS

This contract provides for the installation or upgrade of ninety-five concrete curb ramps in the 2021-2023 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 Sposeto Engineering Inc. in the amount of \$893,400 for the Curb Ramp Upgrades for Annual Street Seal 2021-2023 Project, Project No. 2022.0070
- Authorize the City Manager to negotiate and approve individual change orders up to 5% (or \$44,670) of the original contract amount; and
- Authorize the City Manager to negotiate and approve change orders up to a cumulative value of 25% (or \$223,350) 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 2021-2023 project. The contract will install new ramps at locations where none exists and upgrade existing non-compliant ramps. This contract will install upgrades to approximately ninety-five 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.

This work is part of the Annual Street Sealing 2021-2023 Project scheduled for construction in summer 2024. To ensure delivery of the Annual Street Sealing 2021-2023 Project on time and successfully, the curb ramp work was bid separately to allow its construction to be completed prior to the start of the street sealing project.

Analysis

A total of two bids were received at the bid opening on April 19, 2023, ranging between \$893,400 and \$1,034,000. The pre-bid engineer's estimate for construction was \$1,051,500. Staff recommends awarding to the lowest responsive bidder, Sposeto Engineering Inc. Staff verified that the contractor has a valid Contractor's State License Board license and is registered with the California Department of Industrial Relations.

None of the bidders have an office in San Leandro which would qualify them as a local business per the Local Inclusion Policy Ordinance. None of the bidders met the Local Business Participation Goal of 25% by subcontracting with San Leandro businesses for 25% of the contract value. Sposeto Engineering Inc. did provide documentation that demonstrated good faith efforts to outreach and engage local business participation.

As a component of the larger Annual Street Sealing 2021-2023 Project, this project is subject to the provisions of the Community Workforce Agreement (CWA). At the mandatory pre-bid meetings, staff advised all potential bidders of the CWA. Sposeto Engineering Inc. signed the required CWA agreement.

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 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 up to 5% (\$44,670) of the original contract amount and cumulative change orders up to 25% (\$223,350) of the original contract amount. This will help to ensure 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 the California Environmental Quality Act (CEQA) per Section 15301 Class 1(b) of the CEQA guidelines. The Notice of Exemption was filed with the Alameda County Recorder on February 14, 2023.

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 twenty 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 4, 2023, and April 5, 2023. 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 starts.

Financial Impacts

Sufficient funds are included in the Fiscal Year 2022-2023 budget for this project.

The total project cost is as follows:

Design and Bid:	\$42,000
Construction Contract Curb Ramps:	\$893,400
Construction Contingency Curb Ramps	\$134,010
Construction Management and Inspection (ramps):	\$100,000
<u>Budget Remaining for Pavement Sealing:</u>	<u>\$5,550,590</u>
Project Total	\$6,720,000

This Council action will not impact fund balance because there are funds available in the FY2022-2023 adopted budget.

Budget Authority

The work will be funded with the following appropriations:

<u>Account No.</u>	<u>Source</u>	<u>Fiscal Yr.</u>	<u>Amount</u>
141-38-525	Measure BB Streets	FY21-22	\$1,000,000
143-38-525	Vehicle Registration Fees	FY21-22	\$1,000,000
144-38-525	Measure B Streets	FY21-22	\$1,500,000
141-38-526	Measure BB Streets	FY22-23	\$2,670,000
143-38-526	Vehicle Registration Fees	FY22-23	\$550,000

Total Project Appropriation: \$6,720,000

ATTACHMENTS

- Attachment A: Resolution

- Attachment B: Bid Summary - Curb Ramp Upgrades for Annual Street Seal 2021- 2023.

PREPARED BY: Mohit Chaudhary, Associate Engineer, Engineering and Transportation Department