



## Legislation Text

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**File #:** 23-171, **Version:** 1

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Adopt a Resolution to Authorize the City Manager to Award a Construction Contract to Gruendl Inc. dba Ray's Electric for \$669,487 for the Wicks Boulevard and Manor Boulevard Traffic Signal Upgrade Project, Project No. 2020.5620, Federal Project No.- HSIPL 5041 (049); to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount (\$33,474); and to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount (\$167,372)

### **COUNCIL PRIORITY**

- Infrastructure
- Public Safety

### **SUMMARY**

This contract provides for traffic signal improvements and safety enhancement at the intersection of Wicks Boulevard and Manor Boulevard.

### **RECOMMENDATIONS**

Staff recommends the City Council authorize the City Manager to:

- Award a construction contract to Gruendl Inc. dba Ray's Electric, Inc. for \$669,487;
- Negotiate and approve individual change orders up to 5% (or \$33,474) of the original contract amount; and
- Negotiate and approve change orders up to a cumulative value not to exceed 25% (or \$167,372) of the original contract amount.

### **BACKGROUND**

The Fixing America's Surface Transportation Act (FAST), which was signed into law on December 4, 2015, established the Highway Safety Improvement Program (HSIP) as a core Federal-aid program. The overall purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through the implementation of infrastructure-related highway safety improvements.

The City was awarded \$323,910 in the 2018 HSIP Cycle 9 to upgrade the traffic signal and improve the traffic safety at the Wicks Boulevard and Manor Boulevard intersection.

The Wicks Boulevard and Manor Boulevard intersection ranked high on the City's High Collision Intersections list, which is regularly monitored and updated by City staff. Nineteen collisions were reported between April 1, 2013, and March 31, 2018. Twelve of the collisions involved the southbound left-turn traffic and the northbound through traffic. The remaining seven collisions were attributed to improper turning, driving under influence, and low visibility of traffic signals, especially

when passenger cars were traveling behind big vehicles at relatively high speeds.

Staff evaluated collision patterns in the five-year period and determined that the intersection warranted a spot improvement by upgrading the traffic signal equipment as well as enhancing traffic signal operations. More specifically, City staff has identified the following three countermeasures that are deemed necessary: Provide protected left turn traffic light phase (left turn lane already exists); Improve signal hardware to the current standards; and Provide Advanced Dilemma Zone Detection for high-speed approaches.

### **Analysis**

On April 5, 2023, staff opened bids for the subject project. Seven bids were received with bids ranging between \$668,487 and \$1,019,529. Staff determined that Gruendl Inc. dba Ray's Electric (Ray's Electric) is the apparent low bidder based on the total bid amount. The pre-bid Engineer's Estimate for construction was \$615,955. Staff recommends the award of a construction contract to Ray's Electric in the amount of \$669,487. Staff verified that Ray's Electric has a valid Contractor's State License Board license and is registered with the California Department of Industrial Relations.

This project has a Disadvantaged Business Enterprise (DBE) participation goal of 19%. The DBE documentation for the three lowest bidders was either received by the City as part of the bid package or within two days of the bid opening. The DBE documentation submitted by all three contractors was reviewed and found to be acceptable.

This project is not subject to the provisions of the Community Workforce Agreement (CWA) or the City's Local Inclusion Policy Ordinance because it is a Federally funded project.

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 a delay of 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% (\$33,474) of the original contract amount. In addition, staff requests authority to negotiate and approve cumulative change orders up to 25% (\$167,372) of the original contract amount to ensure efficient completion of the project on budget and on schedule.

Complete Streets features will be constructed as part of this project. \$99,821 of the money appropriated to 143-38-392 will be utilized for the construction of accessibility features related to Complete Streets.

### **Current Agency Policies**

- Maintain and enhance the City's infrastructure.

### **Previous Actions**

- On June 19, 2017, by Resolution No. 2017-085, the City Council approved the Administering

Agency-State Agreement No. 04-5041F-15.

- On March 16, 2020, by Resolution No. 2020-025, the City Council authorized the City Manager to Execute Program Supplement Agreement No. F029 with the State of California to Provide \$37,350 in Grant Funds for the Design Phase of the Wicks Blvd. and Manor Blvd. Signal Upgrade Project and to Appropriate \$359,900 for the Total Project Budget in Fiscal Year 2019-2020.
- On December 7, 2020, by Resolution No. 2020-150, the City Council approved a Consulting Services Agreement with Kimley-Horn and Associates for the design of the project in the amount of \$83,859; appropriated \$42,359 from the development fees for street improvement fund balance and authorized City Manager to negotiate and execute individual contract amendments up to 10% (\$8,386) and cumulative amendments up to a maximum of 25% (\$20,965).

### **Applicable General Plan Policies**

- Policy T-2.1: Complete Streets Serving All Users and Modes. Create and maintain “complete” streets that provide safe, comfortable, and convenient travel through a comprehensive, integrated transportation network that serves all users.
- Policy T-7.2: Capital Improvements. Identify capital improvements and other measures which improve the safety of bicyclists, pedestrians, and motor vehicles on San Leandro Streets
- Policy T-7.7: Funding. Pursue grants for the improvement of pedestrian, bicycle, and motor vehicle safety, including a greater focus on traffic law and speed enforcement.

### **Environmental Review**

- On December 4, 2019, the Categorical Exemption/Categorical Exclusion Determination Form was signed by Project Manager/Caltrans Division of Local Assistance (DLA) Engineer.

### **Summary of Public Outreach Efforts**

The Notice to Bidders was published in the Daily Review, Vision 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 non-mandatory pre-bid meetings were held on March 15 and 16, 2023.

Prior to any construction which would affect access to private businesses or residences, the contractor will provide advance notification in the form of door hangers before the work starts.

### **Fiscal Impacts**

The budget authority section has details on funding types, accounts, and authorizations. CIP accounts are carried forward for five years or until the work is complete, whichever occurs first.

The total project cost is estimated as follows:

Design and Bid	\$145,664
Construction	\$669,487
Contingency	\$66,949
<u>Construction Management and Inspection</u>	<u>\$43,804</u>
Total	\$925,904

**Budget Authority**

<u>Account No.</u>	<u>Source</u>	<u>Reso/Budget Year</u>	<u>Amount</u>
143-38-392*	Measure B	FY21-22	\$99,281
120-38-349	DFSI Fund	Res. 2020-025, FY19-20	\$35,990
120-38-349	DFSI Fund	Res. 2020-150, FY20-21	\$42,359
144-38-349	Measure B	FY19-20	\$424,364
<u>150-38-349</u>	<u>HSIPL Grant</u>	<u>Res. 2020-025, FY19-20</u>	<u>\$323,910</u>
	Total Appropriation		\$925,904

\*Amount listed is funds available for this contract and is less than the total appropriation.

**ATTACHMENTS**

- Attachment A - Resolution
- Attachment B - Bid Summary - Project No. 2020.5620, Federal Project No.- HSIPL 5041 (049)

**PREPARED BY:** Kyle K. Lei, Associate Engineer, Engineering and Transportation Department