



## Legislation Text

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**File #:** 17-221, **Version:** 1

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Staff Report for a Resolution to Award a Construction Contract to Silman Construction for the Curb Ramp Upgrades 2016-17 Project, Project No. 2017.0070; Authorization for the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders Up to 15% of the Original Contract Amount.

### **SUMMARY AND RECOMMENDATIONS**

The subject project will install new concrete curb ramps and upgrade existing curb ramps to current standards at street intersections scheduled to receive street sealing work in a following, separate construction contract.

Staff recommends awarding the construction contract to Silman Construction in the amount of \$433,517.88 for the subject project; authorizing individual change orders up to 5% of the original contract (\$21,675.89), and authorizing a total change order amount up to 15% of the original contract (\$65,027.68).

### **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 Annual Street Sealing 2016-17 project. New ramps will be installed at locations where none exist, and existing non-compliant ramps will be upgraded.

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

This project is part of a larger project, the Annual Street Sealing 2016-17, which is scheduled for construction in late summer 2017. To ensure that the Annual Street Sealing 2016-17 project is delivered on time and successfully, the Curb Ramp Upgrade 2016-17 project was scheduled as Phase 1 of the larger project as our past experience indicates that typical street sealing contractors are not equipped to efficiently manage the subcontractors who perform concrete work.

### **Analysis**

Bids were opened on April 18, 2017. Three (3) bids were received ranging between \$407,570.00 and \$555,100.00. The pre-bid engineer's estimate for construction was \$354,460.00.

One of the three bidders is Silman Construction, a San Leandro business that meets the

requirements of Section 1-6-225 COMPARISON OF BIDS of the San Leandro Municipal Code's Local Business Preference (LBP) provisions. Silman Construction submitted a bid of \$433,517.88 that by the LBP code for contractors whose principal place of business is located within the City of San Leandro was reduced by 10% or \$43,351.79, to \$390,166.09 for bid comparison purpose. After applying the Local Business Preference deduction, Silman Construction was determined by staff to be the lowest responsive bidder. Silman Construction's bid is \$25,947.88 higher than the bid submitted by a contractor whose business is located outside San Leandro.

Staff verified that the Silman Construction has a valid license with the Contractor's State License Board and is registered with the California Department of Industrial Relations.

### Contract Change Orders

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. Unforeseen conditions may be encountered during construction and plan details may need to be adjusted or clarified. In order to minimize delay on the project and ensure that the scope of work is adjusted as needed to provide the highest quality project for the City, staff requests that the City Council authorize the City Manager or his designee to negotiate and approve individual change orders up to 5% (or \$21,675.89 each) of the original contract amount and cumulative change orders up to 15% (or \$65,027.68) of the original contract amount. This will 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, bicyclist, 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 December 2, 2016.

### Summary of Public Outreach Efforts

- The Notice to Bidders was published in the Daily Review, the South County Post, Visión

Hispana and the World Journal.

- Staff also notified twenty-one 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.

**Fiscal Impacts**

The total project cost including design, construction, contingencies and construction management is estimated at \$1,636,394.00, \$571,393.00 for this Curb Ramp Upgrade work plus \$1,064,490.00 for the following separate Street Sealing work. The Local Business Preference bid differential of \$25,947.88 will be funded by the Community Investment Fund.

The subject contract is in the amount of \$433,517.88. If change orders are needed, the maximum authorized total contract amount by this action is \$498,545.56. Change orders that increase the project cost beyond the budget authority will not be issued without Council approval of an additional appropriation.

**Budget Authority**

The first three accounts listed below were created for this project in the FY 2016-17 budget. The General Fund, Community Investment account was created to fund increased project costs due to the Local Business Preference policy in the FY 2016-17 budget.

<u>Account No.</u>	<u>Source &amp; Appropriation Date</u>	<u>Appropriation Amount</u>	<u>Funds Available (as of 4/30/2017)</u>
150-36-013	TDA, Annual Sidewalk Repair FY 16-17	\$76,556.00	\$76,556.00
143-38-381	Vehicle Registration Fees, Street Sealing, FY 16-17	\$425,000.00	\$412,000.00
144-38-381	Measure B Fund, Street Sealing FY 16-17	\$1,075,000.00	\$1,075,000.00
010-14-010	General Fund, Community Investment Fund, FY 16-17	\$25,947.88	\$25,947.88
150-38-376	CalRecycle Grant 15-16, <u>Reso No. 2011-55</u>	\$82,223.00	\$50,863.50
	TOTAL	\$1,684,727.38	\$1,616,367.38

**ATTACHMENT(S)**

- Bid Summary - Curb Ramp Upgrades 2016-17

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