



## Legislation Text

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**File #:** 19-254, **Version:** 1

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Staff Report for a City of San Leandro City Council Resolution to Award a \$799,373 Construction Contract to Rosas Brothers Construction for the Curb Ramp Upgrades 2018-19 Project, Project No. 2019.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$39,968) 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 \$199,843) of the Original Contract Amount

### **SUMMARY AND RECOMMENDATIONS**

This work is part of the Street Sealing 2018-19 project. This contract provides for the installation or upgrade of eighty-three (83) concrete curb ramps in the 2019 Asphalt Maintenance Zone work area. The asphalt maintenance treatment contract will be awarded as a separate construction contract.

Staff recommends the following actions:

- Award a construction contract to Rosas Brothers Construction in the amount of \$799,373;
- Authorize the City Manager to negotiate and approve individual change orders up to 5% (or \$39,968) of the original contract amount; and
- Authorize the City Manager to negotiate and approve change orders up to a cumulative value of 25% (or \$199,843) 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 2018-19 project. The contract will install new ramps at locations where none exist and upgrade existing non-compliant ramps. This contract installs or upgrades eighty-three (83) concrete curb ramps.

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 work is part of the Annual Street Sealing 2018-19 project scheduled for construction in late summer 2019. To ensure delivery of the Annual Street Sealing 2018-19 project on time and successfully, the curb ramp work was bid separately and before the street seal design work was complete.

## **Analysis**

Bids were opened on April 30, 2019. Five (5) bids were received ranging between \$722,572 and \$947,606. The pre-bid engineer's estimate for construction was \$808,048. Staff recommends award to the lowest responsive bidder, Rosas Brothers Construction. 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 bidder, Kerex Engineering, did not comply with the provisions of the Local Inclusion Ordinance and was therefore deemed nonresponsive. Rosas Brothers Construction submitted the lowest responsive bid. Rosas Brothers met the Local Business Participation Goal by subcontracting with San Leandro businesses for 25% of the contract value. One local business, Silman Venture Corp submitted a bid; however, they were not the lowest bidder even with the local business preference bid reduction applied to their bid. This project is also subject to the provisions of the Community Workforce Agreement (CWA) and all Bidders signed the CWA commitment form.

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% (\$39,968) of the original contract amount and cumulative change orders up to 25% (\$199,843) 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 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 March 3, 2019.

### **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 18, 2019. 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 \$3,300,000 as follows:

Design and Bid:	\$35,000
Construction Contract:	\$799,373
Construction Contingency:	\$199,843
<u>Construction Management and Inspection:</u>	<u>\$55,000</u>
Sub-total:	\$1,089,216
<u>Asphalt Maintenance Sealing Work</u>	<u>\$2,210,784</u>
Project Total	\$3,300,000

### **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>
141-38-402	Measure B Streets	FY18-19	\$1,180,000
142-38-402	Gas Tax	FY18-19	\$350,000
143-38-402	Vehicle Registration Fees	FY 18-19	\$400,000
150-38-402	Cal Recycle Grant	FY18-19	\$70,000
Total Project Appropriation:			\$2,000,000

Additional Measure B/BB and Gas Tax funding required to complete the project will be requested at the time of award of the contract for the street sealing portion of the work.

### **ATTACHMENT**

- Bid Summary - Curb Ramp Upgrades 2018-19

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