



Legislation Text

File #: 23-474, **Version:** 1

Adopt a Resolution to Authorize the City Manager to Approve and Award a Construction Contract to Villalobos & Associates Inc. in the Amount of \$371,764, for the Annual Sidewalk Repair Program 2023-2024, Project No. 2023.0060; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$18,588) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders Up to 50% (or \$185,880) of the Original Contract Amount

COUNCIL PRIORITY

- Public Safety
- Infrastructure
- Sustainability & Resiliency

SUMMARY

This contract provides for the repair of damaged sidewalks, curbs and gutters, driveway approaches, and new curb ramps.

RECOMMENDATIONS

Staff recommends the following actions:

1. Award the contract to Villalobos & Associates Inc. in the amount of \$371,764;
2. Authorize the City Manager to negotiate and approve individual change orders up to 5% (\$18,588) of the original contract amount; and
3. Authorize the City Manager to negotiate and approve cumulative change orders up to 50% (or \$185,880) of the original contract amount.

BACKGROUND

Property owners are required by the San Leandro Municipal Code and by the State of California Streets and Highways Code to maintain the sidewalks along the frontage of their property. City of San Leandro inspectors review sidewalk complaints and confirm repair needs which then trigger a "Request for Services" to the property owner explaining the required repairs. When sidewalk, curb, or gutter needs repair, property owners have the following options:

- Obtain necessary City permit and to independently contract with a California State licensed contractor to perform the work
- Participate in the Annual Sidewalk Repair Program, in which payment is deferred until project is completed
- Request minor and temporary repairs such as grinding and/or patching to be performed by the City's Public Works Department at no cost to the owner but with the understanding that future

permanent repairs are expected

Instances of repair where a City tree is the cause of the damage and when the property owner participates in the Annual Sidewalk Repair Program, the cost of repair will be divided evenly between the City and the property owner.

While this project is focused on work pertaining to sidewalk curb, and gutter, a variety of other repairs pertinent to the work are expected and have been included as bid items to the contract. Examples of these repairs include installation of ADA compliant curb ramps, street signs, and bike racks.

Analysis

A total of nine (9) companies attended the non-mandatory pre bid meeting on August 23rd and August 30th, respectively. A total of four (4) bids were received ranging between \$371,764.00 and \$740,545.00. The pre-bid Engineer's Estimate was for \$564,890.34. Staff recommends award of the project to Villalobos & Associates, the lowest responsive and responsible bidder. Staff has verified that the contractor has a valid Contractors State License Board license and is registered with the California Department of Industrial Relations.

None of the bidders have an office in San Leandro that would qualify them as a local business per the Local Inclusion Policy Ordinance. The low bidder provided Good Faith Efforts documentation in lieu of meeting the 25% Local Business Participation Goal as allowed by the Ordinance. Staff reviewed the Good Faith Efforts provided by the low bidder and found that they provided adequate documentation and proof of their efforts to include local business. 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.

Unforeseen conditions may be encountered during construction and plan details may need to be adjusted or clarified. In order to minimize delay to the project and ensure that the scope of work is adjusted as needed, staff requests that the City Council authorize the City Manager or her designee to negotiate and approve individual change orders up to 5% (\$18,588) of the original contract amount. In addition, staff requests authority to negotiate and approve cumulative change orders up to 50% (\$185,880) of the original contract amount. This contract allowance will provide for an efficient completion of the project and will allow staff the flexibility to add as many resident requests as possible.

Current Agency Policies

- Maintain and enhance the City's infrastructure.

Applicable General Plan Policies

- Policy T-2.1 Complete Street Serving All Users and Modes
- Policy LU-2.5 Pedestrian and Bicycle Improvements
- Policy LU-6.8 Pedestrian-Friendly Environment

Environmental Review

This project is categorically exempt per California Environmental Quality Act (CEQA) section 15301 (c) and (d) of the CEQA guidelines. A Notice of Exemption was filed with the Alameda County Recorder's Office on September 27, 2023.

Summary of Public Outreach Efforts

The Notice to Bidders was published in ADtaxi, Alameda Publishing Corp., Vision Hispana, and World Journal SF. Two Pre-bid meetings were conducted on August 23rd and August 30th, 2023.

Prior to construction, staff will announce the project start date on the City website. The contractor will also place door hangers prior to the start of work.

Financial Impacts

The cost of this multi-funded project is detailed in the table below.

Design and Bid	\$45,270.00
Construction Contract	\$371,764.00
Construction Management and Inspection	\$135,010.00
Construction Contingencies	\$185,880.00
Total	\$737,924.00

Funding for the project has been appropriated as follows:

<u>Funding Description</u>	<u>Account No.</u>	<u>Amount</u>
*Measure B- Local ST FY 22	144-38-510	\$167,147.11
*Measure BB - Bike and Ped FY 23	153-36-511	\$100,000.00
Measure BB - Local St FY 23	141-38-511	\$30,000.00
Special Grants Fund - TDA FY 23	150-36-511	\$90,000.00
Special Grants Fund - TDA FY 24	150-36-512	\$141,443.00
Measure BB - Bike and Ped FY 24	153-36-512	\$270,000.00
<u>Measure BB - Bike and Ped FY24</u>	<u>141-36-512</u>	<u>\$200,000.00</u>
Total		\$998,590.11

*Amounts listed are funds in the account that are available for this contract, which is less than

the total appropriation to the account.

This Council action will not impact general fund balance because funding from other sources are available as shown in the above table.

ATTACHMENTS

Attachment A: Resolution

Attachment B: Bid Summary

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