



## Legislation Details (With Text)

<b>File #:</b>	18-089	<b>Version:</b>	1	<b>Name:</b>	Sidewalk Repair Program 2017-18 Contract Award to Sposeto Engineering, Inc. - SR
<b>Type:</b>	Staff Report	<b>Status:</b>		<b>In control:</b>	Filed
<b>On agenda:</b>	3/5/2018	<b>Final action:</b>		<b>In control:</b>	City Council
<b>Enactment date:</b>		<b>Enactment #:</b>		<b>Final action:</b>	3/5/2018
<b>Title:</b>	Staff Report for a Resolution to Award a Construction Contract to Sposeto Engineering, Inc. In the Amount of \$569,311 for the Annual Sidewalk Repair Program 2017-18, Project No. 2017.0060; 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 25% of the Original Contract Amount				
<b>Sponsors:</b>	Keith Cooke				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Bid Summary				

Date	Ver.	Action By	Action	Result
3/5/2018	1	City Council	Received and Filed	Pass

Staff Report for a Resolution to Award a Construction Contract to Sposeto Engineering, Inc. In the Amount of \$569,311 for the Annual Sidewalk Repair Program 2017-18, Project No. 2017.0060; 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 25% of the Original Contract Amount

## SUMMARY AND RECOMMENDATIONS

This contract provides for the removal and replacement of damaged concrete sidewalks, driveway approaches, curbs and gutters, and the installation or repair of miscellaneous concrete-related infrastructure throughout the City as part of the City's Sidewalk Repair Program.

Staff recommends award of the construction contract to Sposeto Engineering, Inc. in the amount of \$569,311 for the subject project.

Staff also requests City Council authorization to negotiate and approve individual change orders up to \$28,465, or up to 5% 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 \$142,327, or 25% 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 their property frontage. The City's

sidewalk maintenance requirements are defined in Title 8 of the San Leandro Administrative Code. If a sidewalk is in need of repair, property owners have these available options:

- Repair the sidewalk themselves by hiring a properly-licensed contractor, and by obtaining the necessary City Encroachment Permit; or
- Participate in the Sidewalk Repair Program, and remit the applicable programs costs once the work is complete; or
- Request minor repairs such as grinding and/or patching by the City's Public Works Department at no cost to the property owner, with the understanding that this is often a temporary measure that will require future action.

If a City street tree is the cause of the damage, and the property owner participates in the Sidewalk Repair Program, then the repair cost is divided evenly between property owner and City.

While the primary purpose of the program is to repair damaged sidewalks, this project includes bid items for a variety of other concrete-related infrastructure. These bid items will be utilized on an 'as-needed' basis to correct issues brought to the City's attention during the course of the project. Examples of such items include curb ramp construction, bike rack installations, and bus stop bench placement.

As part of this project, the Contractor will replace 15,800 square feet of sidewalk, 1,820 square feet of driveways, 880 linear feet of curb and gutter, and eight curb ramps. The Contractor has been given 125 working days to complete the work, which should be approximately 6 months from the date the Notice to Proceed is issued.

### **Analysis**

Seven companies attended the mandatory pre-bid meetings on January 10, 2017 and January 17, 2017. From those, three bids were received and opened on February 6, 2018. Bids received ranged between \$569,311 and \$961,976. Sposeto Engineering, Inc. submitted the lowest bid of \$569,311. The pre-bid engineer's estimate for construction is \$604,750. Sposeto Engineering, Inc. was determined to be the lowest responsive bidder and they provided documentation that demonstrated completion of the required Good Faith Efforts to meet the Local Business Participation Goal.

Although one of the bidders has an office in San Leandro that would qualify them as a local business per the Local Inclusion Policy Ordinance, their bid was substantially higher than the low bid. Neither of the two remaining bidders met the 25% Local Business Participation Goal by subcontracting with San Leandro businesses for 25% of the contract value; however, both provided Good Faith Efforts documentation including the low bidder. The nature of the Sidewalk Repair Program is such that there is rarely a need for subcontractors.

As is standard in the construction industry, staff balanced site investigation costs with the risk of finding unforeseen conditions during construction. As a result, the bid items quantities may need to be adjusted during construction to provide the highest quality project for the City. Staff therefore requests that the City Council authorize the City Manager, or his designee, to negotiate and approve individual change orders up to \$28,465 (5% of the original contract amount) as well as change orders up to a cumulative value not to exceed \$142,327 (25% of the original contract amount).

### **Current Agency Policies**

Maintain and enhance the City's infrastructure.

### **Applicable General Plan Policies**

*Policy T 3.6: Pedestrian Environment.* Improve the walkability of all streets in San Leandro through the planning, implementing, and maintaining of pedestrian supportive infrastructure.

*Policy T 3.7: Removing Barriers to Active Transportation.* Reduce barriers to walking and other forms of active transportation such as incomplete or uneven sidewalks, lack of wheelchair ramps and curb cuts, sidewalk obstructions including cars parked on sidewalks, trail gaps, wide intersections, and poor sidewalk connections to transit stops.

*Policy CSF 6.8: Maintenance.* Ensure that sufficient funding is provided for the ongoing maintenance of City-owned facilities, including streets, street lights, traffic signals, landscaping, street trees, storm drains, public buildings and other infrastructure.

### **Environmental Review**

This project is Categorically Exempt per California Environmental Quality Act (CEQA) Section 15301 (c) of the CEQA guidelines. A Notice of Exemption was filed with the Alameda County Recorder's Office on January 9, 2018, and the City received no public objections to the project within the statutory comment period.

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

This project was advertised in the East Bay Times on December 22, 2017 as well as in three other newspapers whose circulation reflects the diversity of San Leandro. Staff also notified contractors interested in working with the City, and sent plans to local builder's exchanges.

Prior to construction, the contractor will notify residents and businesses whose properties will be directly impacted.

### **Fiscal Impacts**

The total project cost is estimated at \$897,159 as follows:

Design and Bid:	\$17,920
Construction Contract:	\$569,311
Construction Management & Inspection:	\$167,600
<u>Construction Contingency:</u>	<u>\$142,328</u>
Total:	\$897,159

### **Budget Authority**

The project is funded as follows:

<u>Account No.</u>	<u>Source</u>	<u>Fiscal Yr.</u>	<u>Amount</u>
141-36-353	Measure BB	FY16-17	\$225,000

144-36-353	Measure B/ACTIA Fund	FY16-17	\$140,000
144-36-379	Measure B/ACTIA Fund	FY17-18	\$615,000
144-38-006	Measure B/ACTIA Fund	FY17-18	\$124,216
Total Project Appropriation:			\$1,104,216

## **ATTACHMENT**

### **Attachments to Related Legislative Files**

- Bid Summary

**PREPARED BY:** Phillip Toste, P.E., Associate Engineer, Engineering and Transportation Department