



## Legislation Details (With Text)

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|-----------------------|---|----------------------|-----------|------------------------|-------------------------------|
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| <b>Type:</b>          | Staff Report  | <b>Status:</b>       | Filed     | <b>In control:</b>     | City Council                  |
| <b>On agenda:</b>     | 7/16/2018   | <b>Final action:</b> | 7/16/2018 | <b>Enactment date:</b> | <b>Enactment #:</b>           |
| <b>Title:</b>         | Staff Report for a Resolution to Award a Construction Contract to Sposeto Engineering, Inc., for \$655,763 for the Pedestrian Crossings Improvements 2016-2017 Phase 1, Project No. 2017.5600; 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, and City Council Approval to Appropriate \$500,000 from Measure BB Fund Balance |                      |           |                        |                               |
| <b>Sponsors:</b>      | Keith Cooke   |                      |           |                        |                               |
| <b>Indexes:</b>       |   |                      |           |                        |                               |
| <b>Code sections:</b> |   |                      |           |                        |                               |
| <b>Attachments:</b>   | 1. DOC062118  |                      |           |                        |                               |

| Date      | Ver. | Action By    | Action             | Result |
|-----------|------|--------------|--------------------|--------|
| 7/16/2018 | 1    | City Council | Received and Filed |        |

Staff Report for a Resolution to Award a Construction Contract to Sposeto Engineering, Inc., for \$655,763 for the Pedestrian Crossings Improvements 2016-2017 Phase 1, Project No. 2017.5600; 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, and City Council Approval to Appropriate \$500,000 from Measure BB Fund Balance

### SUMMARY AND RECOMMENDATIONS

This contract provides for the furnishing and installation of Rectangular Rapid Flashing Beacon (RRFB) systems and enhanced pedestrian crossings at four locations Citywide.

Staff recommends the following actions:

- Award of a construction contract to Sposeto Engineering, Inc., in the amount of \$655,763;
- Authorize the City Manager to negotiate and approve individual change orders up to 5%, or \$32,788, of the original contract amount;
- Authorize the City Manager to negotiate and approve change orders up to a cumulative value not to exceed 15%, or \$98,364, of the original contract amount; and
- Appropriation of \$150,000 from Measure BB Bicycle and Pedestrian Fund balance.
- Appropriation of \$350,000 from Measure BB Local Streets and Roads Fund Balance.

### BACKGROUND

Staff routinely receives requests from citizens for improvements to crosswalks throughout the City.

Based on those requests, staff conducts traffic and pedestrian counts and checks the incident reports to generate a priority for installation of painted and enhanced crosswalks. To expedite the construction of this project, staff split construction of the project into two phases. In Phase 1, pedestrian crossing improvements including Rectangular Rapid Flashing Beacons (RRFBs) will be installed at selected intersections. Phase 2 will install a High Intensity Activated Pedestrian Crosswalk (HAWK) at the intersection of Burkhart Avenue and Wicks Boulevard. The original budget for this project as shown in the Capital Improvement Program section of the City Budget is \$380,000. The updated project estimate is now \$880k for phase 1 and \$340,000 for phase 2. This request includes an additional appropriation of \$500,000 of Measure BB funds to fully fund phase 1.

Phase 1 of this Project will construct enhanced pedestrian crossings at four locations citywide. Those locations are at the intersection of Dowling Boulevard and Bancroft Avenue, the intersection of Doolittle Drive and Bermuda Avenue, the intersection of Estudillo Avenue and Collier Drive, and on Teagarden Street at Lincoln High School. The project will construct bulb-outs at the crosswalks to shorten the crossing distance for pedestrians, will install solar powered RRFBs that are pedestrian activated as well as advanced warning signage and striping on the pavement for vehicles approaching each intersection. These improvements will increase pedestrian safety and visibility, and provide traffic calming through reduced vehicular speed at each intersection. Plans and Specifications setting forth in detail the work to be done as Phase 1 can be viewed on the City's website at the following location:

<https://www.sanleandro.org/civicax/filebank/blobdload.aspx?BlobID=28626>

### **Analysis**

A total of two bids were received on June 20, 2018. Bids received were \$655,763 and \$914,878. Sposeto Engineering, Inc. submitted the lowest bid of \$655,763. The pre-bid engineer's estimate for construction is \$466,035. Sposeto Engineering, Inc. was determined to be the lowest responsive bidder.

One of the bidders has an office in San Leandro and so was qualified as a local business per the Local Inclusion Policy Ordinance; however, that bid was not the lowest responsive bid amount even with the local incentive applied. While the lowest responsive bidder did not meet the Local Business Participation Goal by subcontracting with San Leandro businesses for 25% of the contract value, they did have one San Leandro subcontractor with a contract representing approximately 17% of the bid value. The lowest bidder provided documentation that demonstrated completion of the required good faith efforts to meet the local business participation goal.

This project is not subject to the provisions of the Community Workforce Agreement (CWA) as the contract value is below \$1,000,000.

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 delay 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 that the City Council authorize the City Manager, or his designee, to negotiate and approve individual change orders up to 5% of the original contract amount (\$32,788) and change orders up to a cumulative value of 15% of the original contract amount (\$98,364).

Construction prices in general have escalated quicker than inflation and the prices for concrete work have increased more than other construction prices, which has led to both estimated and bid prices that are beyond the original project budget. Additionally, the scope of work at the intersection of Dowling and Bancroft has increased to improve not only the crossing of Bancroft but also the crossing of Dowling. Finally, the scope of work at the intersection of Wicks and Burkart has changed from an RRFB to a HAWK signal based on an evaluation of vehicle speeds and volumes performed during the design process. All of the above items have contributed to project costs that exceed the current original budget and additional funding is required to build this project as currently envisioned. The funds requested by this action are only those necessary to complete Phase 1, additional funding will be requested when Phase 2 work is awarded later this year.

Additional Measure BB Bicycle and Pedestrian money and Local Streets and Roads money is requested for appropriation for this project. In order to meet the Alameda County Transportation Commission (ACTC) timely use of funds policy for Measure B Funds the City must allocate this money to projects before it is received from ACTC, which will result in a temporary negative fund balance. The City receives approximately \$200,000 per year in Measure BB Bicycle and Pedestrian funds and approximately \$1,300,000 per year in Measure BB Local Streets and Roads funds.

### **Current Agency Policies**

Maintain and enhance the City's infrastructure

### **Previous Actions**

- None

### **Applicable General Plan Policies**

- 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
  - Policy T-2.1: Complete Streets Serving All Users and Modes
- Goal T-3: Promote and accommodate alternative, environmentally-friendly methods of transportation, such as walking and bicycling.
  - 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.

### **Environmental Review**

This project is categorically exempt per California Environmental Quality Act (CEQA) Section 15301 (c) of the CEQA guidelines. The Notice of Exemption was filed with the Alameda County Recorder's Office on June 1, 2018.

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

This project was advertised in the East Bay Express on May 25, 2018 as well as in three other newspapers with circulations that reflect the diversity of San Leandro. Staff also notified contractors interested in working with the City via email, and sent plans to plan rooms.

Prior to construction, staff will notify residents and businesses that will be directly impacted.

### **Fiscal Impacts**

The total Phase 1 and Phase 2 project cost is estimated at \$1,220,000 as follows:

#### Phase 1

|                                       |                 |
|---------------------------------------|-----------------|
| Design and Bid:                       | \$85,928        |
| Construction Contract                 | \$655,763       |
| Construction Management & Inspection: | \$40,575        |
| <u>Construction Contingency:</u>      | <u>\$98,364</u> |

Phase 1 Total: \$880,000

#### Phase 2

|                                       |                 |
|---------------------------------------|-----------------|
| Design and Bid:                       | \$35,000        |
| Construction Contract                 | \$250,000       |
| Construction Management & Inspection: | \$20,000        |
| <u>Construction Contingency:</u>      | <u>\$35,000</u> |

Phase 2 Total: \$340,000

Phase 1 & 2 Project Total: \$1,220,000

### **Budget Authority**

The project is funded as follows:

| <u>Account No.</u>                  | <u>Source</u>                         | <u>Fiscal Yr.</u> | <u>Amount</u> |
|-------------------------------------|---------------------------------------|-------------------|---------------|
| 120-36-355-5240                     | Developer Fees for Street Improvement | FY16-17           | \$260,000     |
| 141-36-355-5240                     | Measure BB                            | FY16-17           | \$120,000     |
| Total Current Project Appropriation |                                       |                   | \$380,000     |

Additional Phase 1 appropriation requested by this action:

| <u>Account No.</u> | <u>Source</u>                      | <u>Amount</u> |
|--------------------|------------------------------------|---------------|
| To Be Determined   | Measure BB Bicycle and Pedestrian  | \$150,000     |
| To Be Determined   | Measure BB Local Streets and Roads | \$350,000     |

**Total Current and Requested Project Appropriation for Phase 1 \$880,000**

### **ATTACHMENT**

- Bid Summary

**PREPARED BY:** Nicole Noronha Castelino, Associate Engineer, Engineering and Transportation Dept.