



# City of San Leandro

Meeting Date: June 5, 2017

## Staff Report

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**File Number:** 17-221 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.F.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Keith Cooke  
Engineering & Transportation Director

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** 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.

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### 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

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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

**PREPARED BY:** John O'Driscoll, Associate Engineer, Engineering and Transportation Department

# BID SUMMARY



This document is a summary of bids received for the subject project and are provided only as a convenience. Listing of a particular bid is not a finding that such bid has been found to be responsive or accepted as complete by the City. An award of contract, if any, is subject to approval of the City Council and/or the City Manager. Contractors should refer to the contract documents for bidding information.

PROJECT TITLE: Curb Ramp Upgrades 2016-17  
 PROJECT NO.: 2017.0070  
 BID NO.: 16-17.020

BID OPENING			ENGINEER'S ESTIMATE		SilMan Construction		Rosas Brothers Construction		FBD Vanguard Construction, Inc.	
DATE: Tuesday, April 18, 2017			Date Approved: 4/12/2017		1600 Factor avenue		4731 Coliseum Way		651 Enterprise Court	
TIME: 3:00 p.m.			Prepared by: J. O'Driscoll		San Leandro, CA 94577		Oakland, CA 94601		Livermore, CA 94550	
LOCATION: City Clerk's Office					Phone: (510) 347-4800		Phone: (510) 534-1077		Phone: (925) 245-1300	
					Fax: (510) 347-4801		Fax: (510) 534-5077		Fax: (925) 245-1007	
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
1	Mobilization	1 LS	\$15,000.00	\$15,000.00	\$24,460.69	\$24,460.69	\$5,000.00	\$5,000.00	\$8,500.00	\$8,500.00
2	Traffic Control per sections 7-10.3, 600 & 601.	1 LS	\$15,000.00	\$15,000.00	\$60,805.22	\$60,805.22	\$5,000.00	\$5,000.00	\$27,000.00	\$27,000.00
3	Install Curb and Gutter per drawing 100 case 3101	1,460 LF	\$60.00	\$87,600.00	\$32.30	\$47,158.00 **	\$82.00	\$119,720.00	\$90.00	\$131,400.00
4	Install AC Tie-ins and Transitions per 302-5	1,600 CF	\$25.00	\$40,000.00	\$41.14	\$65,824.00 **	\$30.00	\$48,000.00	\$34.00	\$54,400.00
5	Install Sidewalk per drawing 100 case 3101	580 SF	\$17.00	\$9,860.00	\$20.20	\$11,716.00 **	\$25.00	\$14,500.00	\$18.00	\$10,440.00
6	Install Wheelchair Curb Cut Ramp per drawing 106A and 106B case 3101	7,750 SF	\$22.00	\$170,500.00	\$25.39	\$196,772.50 **	\$25.00	\$193,750.00	\$38.00	\$294,500.00
7	Install Concrete Apron per drawing 114 case 3101	80 SF	\$25.00	\$2,000.00	\$58.64	\$4,691.20 **	\$25.00	\$2,000.00	\$35.00	\$2,800.00
8	Relocate Roadside Sign per 315-	12 EA	\$500.00	\$6,000.00	\$631.33	\$7,575.96 **	\$300.00	\$3,600.00	\$395.00	\$4,740.00
9	Paint Red Curb per 314-4	1 LS	\$2,500.00	\$2,500.00	\$1,727.47	\$1,727.47	\$8,000.00	\$8,000.00	\$7,230.00	\$7,230.00
10	Relocate Ped Push Button per Part 7 (Section 886)	2 EA	\$3,000.00	\$6,000.00	\$6,393.42	\$12,786.84	\$4,000.00	\$8,000.00	\$7,045.00	\$14,090.00
<b>TOTAL BASE BID:</b>				<b>\$354,460.00</b>	<b>\$433,517.88</b>		<b>\$407,570.00</b>		<b>\$555,100.00</b>	
<b>LOCAL BUSINESS PREFERENCE: LESS 10% OF TOTAL BASE BID:</b>					<b>\$43,351.78</b>					
<b>ADJUSTED BID BASED ON LOCAL BUSINESS PREFERENCE:</b>					<b>\$390,166.10</b>		<b>\$407,570.00</b>		<b>\$555,100.00</b>	



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PROJECT TITLE: Curb Ramp Upgrades 2016-17  
 PROJECT NO.: 2017.0070  
 BID NO.: 16-17.020

<b>BID OPENING</b> DATE: Tuesday, April 18, 2017 TIME: 3:00 p.m. LOCATION: City Clerk's Office		<b>ENGINEER'S ESTIMATE</b> Date Approved: 4/12/2017 Prepared by: J. O'Driscoll		SilMan Construction 1600 Factor avenue San Leandro, CA 94577 Phone: (510) 347-4800 Fax: (510) 347-4801		Rosas Brothers Construction 4731 Coliseum Way Oakland, CA 94601 Phone: (510) 534-1077 Fax: (510) 534-5077		FBD Vanguard Construction, Inc. 651 Enterprise Court Livermore, CA 94550 Phone: (925) 245-1300 Fax: (925) 245-1007		
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
	SUBCONTRACTORS:			Lombardo Drilling Company Traffic Management Inc.		Ransome Company W. Bradley Electric		Compass Engineering Contractors Columbia Electric		
	SECURITIES:			10% Bid Bond		10% Bid Bond		10% Bid Bond		
	NOTES:			** Math Error Corrected and/or Addendum #1 Received		** Addendum #1 Received		** Addendum #1 Received		

Reviewed by: John O'Driscoll Date: 4/19/17  
 John O'Driscoll, Project Manager  
 Reviewed by: Ausline Osakwe Date: 4/20/17  
 Ausline Osakwe, Senior Engineer



# City of San Leandro

Meeting Date: June 5, 2017

## Resolution - Council

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**File Number:** 17-222

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Keith Cooke  
Engineering & Transportation Director

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** RESOLUTION to Award a Construction Contract to Silman Construction for the Curb Ramp Upgrades 2016-17 Project, Project No. 2017.0070 (Recommends Award to the Lowest Responsible Bidder in the Amount of \$433,517.88 From Measure B Funds, Vehicle Registration Fees Funds, Transportation Development Act Funds (TDA), and Community Investment Funds for the Installation of Concrete Curb Ramps in Advance of Street Maintenance Work at Various Locations Throughout the City, and 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)

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WHEREAS, the City of San Leandro did, on April 18, 2017 publicly open, examine and declare all sealed proposals or bids for doing the work described in the bid documents for the subject project; and

WHEREAS, the City of San Leandro did pass Ordinance No. 2014-001 that grants preference for awarding contracts for projects and procurements to businesses located or operating within the City that serves the public interest by encouraging businesses, including small and nonprofit businesses, to locate, hire residents and remain in San Leandro; and

WHEREAS, said proposals were submitted to the Engineering and Transportation Director who finds that the proposal hereinafter mentioned is the lowest responsive bid by a responsible bidder meeting the requirements of Section 1-6-225 COMPARISON OF BIDS with respect to Local Business Preference for doing said work; and

WHEREAS, the subject project is categorically exempt from the California Environmental Quality Act; and

WHEREAS, change orders to clarify the work or respond to unusual existing conditions are a normal aspect of public contracting and construction; and

WHEREAS, in order to expedite the delivery of public projects on schedule and on budget, provide that subcontractors and workers are paid in a timely fashion, avoid as much as possible costly delay claims, and insure that the City completes projects and products that are to the City's highest standards, the City Council finds that providing authorization to negotiate and approve change orders is in the best interest of public health, safety and welfare.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That said City Council hereby rejects all said proposals or bids except herein mentioned; hereby waives any irregularities in the proposal or bid of the lowest responsible bidder; and hereby awards the contract for doing said work to the lowest responsible bidder therefore, to wit, Silman Construction, in the amount of \$433,517.88;

That the City Manager or his designee is authorized to negotiate and approve individual change orders up to a maximum of 5% of the original contract amount, or \$21,675.89 each.

That the City Manager or his designee is authorized to negotiate and approve cumulative change orders up to a maximum of 15% of the original contract amount, or \$65,027.68; and

BE IT FURTHER RESOLVED:

That if the above named contractor is unable to execute the contract, then the City Manager is authorized to award this contract to the next lowest responsible bidder, execute all documents to effect the award, and take all actions necessary to recover any bid security from the low bidder necessary to make the City whole in its acceptance of the lowest bid.