



City of San Leandro

Meeting Date: March 5, 2018

Staff Report

File Number: 18-089 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.C.

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 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 Categorical 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

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: Annual Sidewalk Repair Program 2017-18
PROJECT NO.: 2017.0060
BID NO.: 17-18.025

BID OPENING			ENGINEER'S ESTIMATE		Sposeto Engineering		Spenco Construction		SiMan Construction	
DATE: February 6, 2018			Date Approved: 12/19/2017		4558 Contractors Place		P.O. Box 1220		1600 Factor Avenue	
TIME: 2:00 p.m.			Prepared by: P. Toste		Livmore, CA 94551		Danville, CA 94526		San Leandro, CA 94577	
LOCATION: City Clerk's Office					Phone: (925) 443-4200		Phone: (925) 984-2581		Phone: (510) 347-4800	
					Fax: (925) 443-6800		Fax: (925) 984-2583		Fax: (510) 347-4801	
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
1	Install curb and gutter per drawing 100 case 3101	880 LF	\$68.00	\$59,840.00	\$103.00	\$90,640.00	\$87.00	\$76,560.00	\$132.85	\$116,908.00
2	Install sidewalk per drawing 100 case 3101	11,700 SF	\$21.00	\$245,700.00	\$16.20	\$189,540.00	\$15.00	\$175,500.00	\$18.13	\$212,121.00
3	Install 6" driveway per drawing 102 case 3101	1,510 SF	\$26.00	\$39,260.00	\$19.00	\$28,690.00	\$18.00	\$27,180.00	\$28.45	\$42,959.50
4	Install 8" driveway per drawing 102 case 3101	310 SF	\$28.00	\$8,680.00	\$20.70	\$6,417.00	\$20.00	\$6,200.00	\$37.17	\$11,522.70
5	Install wheelchair curb cut ramp per drawing 106A and 106B case 3101	1,750 SF	\$29.00	\$50,750.00	\$12.10	\$21,175.00	\$40.00	\$70,000.00	\$40.37	\$70,647.50
6	Install basket weave sidewalk per drawing 112 case 3101	4,100 SF	\$24.00	\$98,400.00	\$18.60	\$76,260.00	\$25.00	\$102,500.00	\$50.94	\$208,854.00
7	Install vertical curb per drawing 118 case 3101	50 LF	\$57.00	\$2,850.00	\$80.00	\$4,000.00 **	\$40.00	\$2,000.00	\$73.80	\$3,690.00
8	Grind raised concrete sidewalk to flush with adjacent grade	200 LF	\$21.00	\$4,200.00	\$20.00	\$4,000.00	\$30.00	\$6,000.00	\$63.22	\$12,644.00
9	Install cast iron pipe curb drain per drawing 212 case 3101	10 LF	\$21.00	\$210.00	\$300.00	\$3,000.00	\$300.00	\$3,000.00	\$50.59	\$505.90
10	Remove and reset pavers at existing tree per drawing 436 case 3101	100 SF	\$13.00	\$1,300.00	\$18.00	\$1,800.00	\$20.00	\$2,000.00	\$81.09	\$8,109.00
11	Install retrofit frame for tree grate in existing concrete per drawing 438A and B case 3101	5 EA	\$1,030.00	\$5,150.00	\$780.00	\$3,900.00	\$1,200.00	\$6,000.00	\$1,290.38	\$6,451.90

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PROJECT TITLE: Annual Sidewalk Repair Program 2017-18
 PROJECT NO.: 2017.0060
 BID NO.: 17-18.025

BID OPENING			ENGINEER'S ESTIMATE		Sposeto Engineering		Spenco Construction		SilMan Construction	
DATE: February 6, 2018			Date Approved: 12/19/2017		4558 Contractors Place		P.O. Box 1220		1600 Factor Avenue	
TIME: 2:00 p.m.			Prepared by: P. Toste		Livermore, CA 94551		Danville, CA 94526		San Leandro, CA 94577	
LOCATION: City Clerk's Office					Phone: (925) 443-4200		Phone: (925) 984-2581		Phone: (510) 347-4800	
					Fax: (925) 443-6800		Fax: (925) 984-2583		Fax: (510) 347-4801	
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
12	Install cast in place frame for tree grate per drawing 438A and B case 3101	5 EA	\$1,030.00	\$5,150.00	\$1,265.00	\$6,325.00	\$1,200.00	\$6,000.00	\$2,035.90	\$10,179.50 **
13	Install cast iron tree grate per drawing 438A and B case 3101	5 EA	\$1,030.00	\$5,150.00	\$2,065.00	\$10,325.00	\$1,500.00	\$7,500.00	\$3,235.80	\$16,179.00
14	Remove 4" Concrete and backfill with topsoil	350 SF	\$8.00	\$2,800.00	\$7.60	\$2,660.00	\$8.00	\$2,800.00	\$19.55	\$6,842.50
15	Provide traffic control plan and implement traffic control per section 601-2	1 LS	\$5,000.00	\$5,000.00	\$43,640.00	\$43,640.00	\$12,000.00	\$12,000.00	\$150,503.78	\$150,503.78
16	Remove existing pavers, trim roots, and install decomposed granite at existing tree well	53 EA	\$670.00	\$35,510.00	\$748.00	\$39,644.00	\$875.00	\$46,375.00	\$528.98	\$28,035.94
17	Install decomposed granite at empty tree well	5 EA	\$515.00	\$2,575.00	\$225.00	\$1,125.00	\$500.00	\$2,500.00	\$972.37	\$4,861.85
18	Excavation resurfacing per drawing 128, case 3101: 6" thickness	1,390 SF	\$11.00	\$15,290.00	\$14.00	\$19,460.00	\$15.00	\$20,850.00	\$23.28	\$32,359.20 **
19	Excavation resurfacing per drawing 128 case 3101: 9" thickness	190 SF	\$16.00	\$3,040.00	\$18.00	\$3,420.00	\$20.00	\$3,800.00	\$23.28	\$4,423.20 **
20	Excavation resurfacing per drawing 128 case 3101: 12" thickness	180 SF	\$21.00	\$3,780.00	\$21.00	\$3,780.00	\$25.00	\$4,500.00	\$23.28	\$4,190.40 **
21	Install bicycle racks per drawing 618 case 3101	5 EA	\$923.00	\$4,615.00	\$302.00	\$1,510.00	\$1,500.00	\$7,500.00	\$279.89	\$1,399.45
22	Furnish and install pedestrian bus bench with middle armrest	5 EA	\$1,100.00	\$5,500.00	\$1,600.00	\$8,000.00	\$2,500.00	\$12,500.00	\$1,717.73	\$8,588.65

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PROJECT TITLE: Annual Sidewalk Repair Program 2017-18
 PROJECT NO.: 2017.0060
 BID NO.: 17-18.025

BID OPENING DATE: February 6, 2018 TIME: 2:00 p.m. LOCATION: City Clerk's Office		ENGINEER'S ESTIMATE Date Approved: 12/19/2017 Prepared by: P. Toste		Sposeto Engineering 4558 Contractors Place Livermore, CA 94551 Phone: (925) 443-4200 Fax: (925) 443-6800		Spenco Construction P.O. Box 1220 Danville, CA 94526 Phone: (925) 984-2581 Fax: (925) 984-2583		SilMan Construction 1600 Factor Avenue San Leandro, CA 94577 Phone: (510) 347-4800 Fax: (510) 347-4801				
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST		
				TOTAL BASE BID:		\$604,750.00		\$569,311.00 **		\$603,265.00		\$961,976.97 **
				SUBCONTRACTORS:	None		None		Lombardo Diamond Core Drilling Co. R and M Paving			
				SECURITIES:	10% Bid Bond		10% Bid Bond		10% Bid Bond			
				NOTES:	** Math Error Corrected				** Math Error Corrected			

Reviewed by: Date: 2-7-18
 Phillip Toster, Project Manager

Reviewed by: Date: 2/07/2018
 Michael, Stella, Principal Engineer



City of San Leandro

Meeting Date: March 5, 2018

Resolution - Council

File Number: 18-090 **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 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

WHEREAS, the City of San Leandro operates a Sidewalk Repair Program in accordance with San Leandro Municipal Code Sections 5-1-415 and 5-1-420; and

WHEREAS, the City's program conforms to California Streets and Highways Code Section 5600 through 5630; and

WHEREAS, operation of the City's program is defined in Sections 8.1.110 through 8.1.125 "Sidewalk Repair Program" of the San Leandro Administrative Code; and

WHEREAS, the City of San Leandro, on February 6, 2018, did 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, said proposals were submitted to the Engineering and Transportation Department Director who finds that the proposal hereinafter mentioned is the lowest responsive bid by a responsible bidder for doing said work; and

WHEREAS, the subject project is Categorically Exempt from the California Environmental Quality Act; and

WHEREAS, Change Orders to modify bid quantities or respond to unexpected conditions are a normal aspect of public contracting and construction; and

WHEREAS, in order to deliver quality of public projects on schedule and within budget, the City Council finds that authorizing approval of 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 awards the contract for the annual Sidewalk Repair Program 2017-18, Project No. 2017.0060, to the lowest responsible bidder and waives any bid irregularities, to wit Sposeto Engineering, Inc. in the amount of \$569,311, and hereby rejects all other bids; and

That the City Manager or his designee is hereby authorized to negotiate and approve individual Change Orders up to a maximum of \$28,465, which is 5% of the original contract amount, each; and

That the City Manager or his designee is authorized to negotiate and approve cumulative Change Orders up to a maximum of \$142,327, which is 25% of the original contract amount; and

BE IT FURTHER RESOLVED:

That if the lowest responsible bidder is unable to execute the contract, then the City Manager is authorized to award this contract to the responsible bidder who submitted the next lowest responsive bid, 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.