



# City of San Leandro

Meeting Date: July 16, 2018

## Staff Report

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**File Number:** 17-606 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.C.

**TO:** City Council

**FROM:** Jeff Kay  
Acting City Manager

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

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** Staff Report for a Resolution Accepting the Work for the Annual Overlay /  
Rehabilitation 2015-16 Project, Project No. 2016.0050

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### SUMMARY AND RECOMMENDATIONS

This \$3,547,436 construction project reconstructed 5.33 lane miles on sixteen street segments throughout the City, including upgrades to 53 curb ramps to comply with the requirements of the Americans with Disability Act.

Staff recommends the following actions:

- Accept the work;
- File the Notice of Completion; and
- Authorize the City Manager to release the performance and payment bonds, and release the maintenance bonds for the subject project upon successful completion of the one-year maintenance period

### BACKGROUND

On July 18, 2016, by Resolution No. 2016-095, the City Council awarded a construction contract for the subject project to DeSilva Gates Construction, L.P. The project completed repairs, overlays and reconstruction on 5.33 lane miles of pavement. Work was done on sixteen street segments throughout the City.

This project included several methods to repair the streets, depending on the severity of deterioration. Such methods included:

- Mill and replacement of top pavement layers on nine street segments;
- Complete removal of existing asphalt to base, re-compaction of the existing aggregate base rock and replacement of the asphalt concrete on six street segments; and
- Full reconstruction of Rose Drive including cement treatment and stabilization of the

underlying base rock and subgrade before replacement of the asphalt concrete.

In addition, the project installed a total of ten new speed cushions at locations requested and approved by a majority of the residents as part of the 2014-15 Neighborhood Traffic Calming Program. These new speed cushions were installed on:

- Dolores Avenue (between East 14th Street and Bancroft Avenue);
- 136th Avenue (between Bancroft Avenue and School Street);
- Park Street (across from Siempre Verde Park); and
- Warden Avenue (between Davis Street and Melcher Street).

In preparation for this project, fifty-three pedestrian crosswalk curb ramps within the street reconstruction limits were updated to meet current accessibility requirements under a separate construction contract. The project also completed the installation of new sanitary sewer manholes, replacements and repairs to existing speed cushions, and sanitary sewer point repairs.

**Analysis**

Construction is now complete and was performed in compliance with the contract documents.

This was the first construction contract to be completed under the City’s Community Workforce Agreement (CWA), which established the Alameda County Building and Construction Trades Council and its affiliated labor unions as the sole bargaining representative of all persons working on City construction projects valued above \$1,000,000. The CWA sets a goal of 30% participation by San Leandro residents and if no San Leandro residents are available, then Alameda County residents, in construction projects that are covered by the CWA. Contractors are required to make good faith efforts to reach this goal through the utilization of the Unions’ hiring hall procedures. The agreement also required the contractor to hire one San Leandro resident, or if not available, an Alameda County resident, as a New Apprentice for the first \$1 million of the bid amount.

The contractor on this project accomplished the following towards meeting the CWA’s Local Hire goals:

|                   | <b>Local Hire Goal</b> | Total Hours Worked | San Leandro Resident Hours | San Leandro Resident (%) | Alameda County Resident Hours | Alameda County Resident (%) |
|-------------------|------------------------|--------------------|----------------------------|--------------------------|-------------------------------|-----------------------------|
| <u>Journeyman</u> | <b><u>30%</u></b>      | <u>7,494.00</u>    | <u>565.25</u>              | <u>6.4%</u>              | <u>4,760.50</u>               | <u>53.50%</u>               |
| <u>Apprentice</u> | <b><u>10%</u></b>      | <u>1,393.25</u>    | <u>0.0</u>                 | <u>0%</u>                | <u>898.50</u>                 | <u>10.11%</u>               |

Although the contractor did not achieve the goal of San Leandro residents performing 30% of the total 8,887.25 hours, Staff determined that DeSilva Gates made good faith efforts to reach this goal through the utilization of union hiring hall procedures to request journeyman and apprentice level San Leandro resident workers. Robust economic conditions and the subsequent effect on the labor market limited the contractor’s ability to hire local residents to

work on this project. However, in seeking to hire residents of Alameda County, the contractor met both the 30% journeyman and 10% apprenticeship goals.

For efficiency, work on two related City projects was completed as part of the construction contract for this project: 1) Sanitary sewer point repairs on Lexington Avenue were completed using WPCP enterprise funds prior to paving this street, 2) Speed cushions on Park Street were installed using Capital Improvement Program funds for the Siempre Verde Park project.

### **Current Agency Policies**

- Maintain and enhance the City's infrastructure
- Support and implement programs, activities and strengthen communication that enhances the quality of life and wellness, celebrates the arts and diversity and promotes civic pride

### **Previous Actions**

- On July 18, 2016, by Resolution No. 2017-135, the City Council Approved an Increased Contract Change Order Authorization from 15% to 20% (from \$359,409 to \$479,212; an Increase of \$119,803) for the construction contract with DeSilva Gates Construction, L.P.; and City Council Approved an Additional Appropriation of \$65,000 from the Measure B Local Streets and Roads Fund Balance for the Project
- On July 18, 2016 by Resolution 2016-095, City Council Awarded a Construction Contract to DeSilva Gates Construction, L.P. for the Annual Overlay / Rehabilitation 2015-16 Project, Project No. 2016.0050; 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; City Council Approved Appropriation of \$110,000 from the DFSI Fund Balance and \$930,000 from Measure BB Fund Balance for the Project.
- On May 16, 2016, by Resolution No. 2016-056, the City Council awarded a construction contract to Rosas Brothers Construction for the Curb Ramp Upgrades (2015-16) Project, Project No. 2016.0071 which included work to complete curb ramps required as part of this paving project.

### **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.
- **Transportation Goal T-7:** Improve traffic safety and reduce the potential for accidents on San Leandro streets.

### **Permits and/or Variances Granted**

Caltrans Encroachment Permits were obtained for work on affected traffic loops.

**Environmental Review**

This project is categorically exempt from the 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 October 2, 2015.

**Summary of Public Outreach Efforts**

- The Notice to Bidders was published in the Daily Review, the South County Post, Vision Hispana, and the World Journal.
- Notices were issued to twenty-one builders' exchanges and construction data firms as well as a list of contractors that have asked to be notified of bidding opportunities via email.
- The project was described on the Engineering and Transportation Department website.
- Prior to construction, staff notified residents residing on the streets included in the project of the project schedule. The contractor also provided multilingual notifications to properties adjacent to the work via door hangers immediately before the work started.

**Fiscal Impacts**

The total project cost was \$3,547,436 which includes design, two construction contracts, and construction administration.

A summary of the construction contract with De Silva Gates is below:

|                       |                              |
|-----------------------|------------------------------|
| Original Contract     | \$2,396,060.00               |
| <u>Change Orders</u>  | <u>\$ 460,120.53 (19.2%)</u> |
| Total Contract Amount | \$2,856,180.53               |

Major change orders on the construction contract included: increased asphalt paving limits, grade adjustments on Evergreen / Kenyon Avenue to remove a shallow drainage culvert, necessary sanitary sewer point repairs on Lexington Avenue, replacement of Oro Loma manholes (completed at their request and reimbursed by the utility company), additional potholing of shallow utility laterals, and speed cushions on Park St.

**Budget Authority**

Funding for this project is as follows:

| <u>Account No.</u> | <u>Reso, Appropriation Dates &amp; Source</u> | <u>Amount</u> |
|--------------------|---|---------------|
| Original Funding:  |   |               |
| 141-38-369         | Reso. 2015-316, FY 2015-16, Measure BB        | \$510,000     |
| 142-38-369         | Reso. 2015-316, FY 2015-16, Gas Tax           | \$320,000     |
| 144-38-369         | Reso. 2015-316, FY 2015-16, Measure B         | \$510,000     |
| 210-38-369         | Reso. 2015-316, FY 2015-16, General Fund      | \$1,000,000   |

Additional City Project Funding:

|            |                                  |           |
|------------|----------------------------------|-----------|
| 120-28-167 | Reso. 2016-095, DFSI Fund        | \$110,000 |
| 141-38-369 | Reso. 2016-095, Measure BB Funds | \$930,000 |
| 144-38-369 | Reso. 2017-135, Measure B        | \$65,000  |

Additional City Funding for work completed on Related Projects:

|            |  |          |
|------------|--|----------|
| 593-52-257 | Reso. 2013-072, FY 2014-15, WPCP Enterprise Fund | \$23,231 |
| 210-62-116 | Reso. 2015-058, FY 2015-16, General Fund         | \$23,905 |

Additional Outside Agency Funding:

|  |                 |
|--|-----------------|
| <u>Reimbursement from Oro Loma Sanitary District</u> | <u>\$55,300</u> |
|--|-----------------|

Total Current Project Appropriation \$3,547,436

**Attachment to Staff Report**

Project Photos - Annual Overlay / Rehabilitation 2015-16

**PREPARED BY:** Mark Goralka, Associate Engineer, Engineering and Transportation Department



NEW PAVING ON SAN LEANDRO BOULEVARD



NEW PAVING ON MARINEVIEW DRIVE



NEW PAVING ON EVERGREEN AVENUE



ROSE DRIVE (FULL DEPTH REHABILITATION)

**ANNUAL OVERLAY / REHABILITATION 2015-16**  
**Completion Photos (Selected Streets)**





# City of San Leandro

Meeting Date: July 16, 2018

## Resolution - Council

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**File Number:** 17-607 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Jeff Kay  
Acting City Manager

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

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** RESOLUTION to Accept the Work for the Annual Overlay / Rehabilitation  
2015-16 Project, Project No. 2016.0050

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WHEREAS, pursuant to a construction contract between the City of San Leandro and De Silva Gates Construction, L.P., approved on July 18, 2016, by Resolution No. 2016-095, De Silva Gates Construction, L.P. completed the Annual Overlay / Rehabilitation 2015-16 Project, Project No. 2016.0050; and

WHEREAS, said work was completed in accordance with the plans and specifications and to the satisfaction of the Engineering and Transportation Director, who therefore recommends that said work should be accepted.

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

1. That the work hereinbefore described is hereby accepted; and
2. That the City Clerk is hereby directed to file a Notice of Completion on said project;  
and
3. That the bonds heretofore given for performance and payment of said conditions are hereby discharged and exonerated from further liability when the statute of limitations expires after the recording of the Notice of Completion; and
4. That upon completion of the one-year maintenance period established pursuant to said contract, and to the satisfaction of the Engineering and Transportation Director, the City Manager is hereby authorized to release the maintenance bond heretofore given for maintenance of the work hereinbefore described.