



City of San Leandro

Meeting Date: June 15, 2020

Staff Report

File Number: 20-116 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.E.

TO: City Council

FROM: Jeff Kay
City Manager

BY: Keith Cooke
Engineering & Transportation Director

FINANCE REVIEW: Liz Warmerdam
Interim Finance Director

TITLE: Staff Report for a City of San Leandro City Council Resolution to Award a \$339,588 Construction Contract to FBD Vanguard Construction, Inc. for the Annual Street Sealing 2019-2020 - Curb Ramp Upgrade Phase, Project No. 2020.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$16,979) 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 25% (or \$84,895) of the Original Contract Amount

SUMMARY AND RECOMMENDATIONS

This contract provides for the installation or upgrade of approximately thirty-eight (38) concrete curb ramps in the 2020 Asphalt Maintenance Zone work area. The asphalt maintenance treatment contract work will be awarded as a separate construction contract.

Staff recommends the following actions:

- Award a construction contract to FBD Vanguard Construction, Inc. for \$339,588;
- Authorize the City Manager to negotiate and approve individual change orders up to 5% (or \$16,979) of the original contract amount; and
- Authorize the City Manager to negotiate and approve change orders up to a cumulative value of 25% (or \$84,895) of the original contract amount.

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 upcoming Annual Street Sealing Fiscal Year 2019-2020 project. The contract will install new ramps at locations where none exist and upgrade existing non-compliant ramps. This contract will install upgrades to approximately thirty-eight (38) concrete curb ramps.

Curb ramps are a vital component of pedestrian travel. Curb ramps allow wheelchair users to safely cross streets. Curb ramps make sidewalks accessible, regardless of physical ability. Each curb ramp includes a panel of raised domes to warn the vision impaired of a street crossing.

Construction of the Annual Street Sealing 2019-20 project is subdivided into three phases; concrete ramps, sewer point repairs, and pavement sealing. The work is split into three contracts because each phase is typically performed by a specialty contractor who generally doesn't act as a general contractor. This process of phasing the project was performed successfully in the past. Phasing this project also allows for the preparatory work associated with the sealing project, such as curb ramp upgrade and sanitary sewer point repair to be bid earlier, before the pavement sealing work is fully designed.

Analysis

Bids were opened on May 6, 2020. Seven (7) bids were received ranging between \$320,770 and \$613,840. The pre-bid engineer's estimate for construction was \$437,310. Staff recommends award to the lowest responsive bid and responsible bidder, FBD Vanguard Construction, Inc. Staff verified the contractor has a valid Contractor's State License Board license and is registered with the California Department of Industrial Relations.

The lowest bid was received from Villalobos & Associates. However, Villalobos & Associates failed to meet the Local Business Participation criteria. Its Good Faith Efforts included meeting 4 of the items listed on the Local Business Outreach Form, but a minimum of 5 items is required, thus, Villalobos & Associates' bid was deemed non-responsive. FBD Vanguard Construction, Inc. is deemed the lowest responsible bidder. FBD Vanguard's Local Business Participation Goal was met by successfully completing 6 items listed on the Local Business Outreach Form. One local business, Silman Industries, submitted a bid; however, they were not the lowest bidder even with the local business preference bid reduction applied to its bid. This project is subject to the provisions of the Community Workforce Agreement (CWA) because it is part of a larger project that has been split into smaller contracts, which cumulatively trigger CWA requirements.

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 delays 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 authorization to negotiate and approve change orders. Therefore, staff requests authority to negotiate and approve individual change orders up to 5% (\$16,979) of the original contract amount and cumulative change orders up to 25% (\$84,895) of the original contract amount. This will ensure the 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, bicyclists, 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 February 7, 2020.

Summary of Public Outreach Efforts

- The Notice to Bidders was published in the Daily Review, the South County Post, Visión Hispana and Sing Tao.
- Staff also notified twenty-three 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.

Two mandatory pre-bid meetings were held on April 16 and April 20, 2020. The intent of these meetings was to inform bidders of the project details, including the City’s Local Inclusion Ordinance and the CWA.

Prior to construction, staff will notify the residents in the immediate proximity of the work areas. The contractor will also provide notification in the form of door hangers immediately before the work.

Fiscal Impacts

The total project cost is estimated at \$3,500,000 as follows:

Design and Bid (ramps, seal, sewer):	\$125,000
Construction Contract Curb Ramps:	\$339,588
Construction Contingency Curb Ramps	\$84,895
Construction Contract Pavement Sealing:	\$1,670,000
Construction Contingency Pavement Sealing	\$200,400
Construction Contract Sanitary Sewer Point repair	\$728,000
Construction Contingency Sewer Point Repairs:	\$182,000
<u>Construction Management and Inspection (ramps, seal, sewer):</u>	<u>\$170,117</u>

Project Total

\$3,500,000

Budget Authority

The work will be funded by the following appropriations:

<u>Account No.</u>	<u>Source</u>	<u>Fiscal Yr.</u>	<u>Amount</u>
143-38-412	Vehicle Registration Fees	FY19-20	\$400,000
144-38-412	Measure B Streets	FY19-20	\$1,500,000
210-38-412	General Fund	FY19-20	\$600,000
593-52-270	WPCP Enterprise Fund	FY18-19	\$500,000
593-52-277	WPCP Enterprise Fund	FY19-20	\$500,000
Total Project Appropriation:			\$3,500,000

ATTACHMENT

- Bid Summary - Annual Street Sealing 2019-20 - Curb Ramp Upgrade Phase

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: Annual Street Sealing 2019-20
Curb Ramp Upgrade Phase
PROJECT NO.: 2020.0070
BID NO.: 19-20.012

BID OPENING			ENGINEER'S ESTIMATE		Villalobos & Associates		FBD Vanguard Construction, Inc.		Spencon Construction, Inc.	
DATE: Wednesday, May 6, 2020 TIME: 2:00 p.m. LOCATION: City Clerk's Office			Date Approved: Prepared by: J. O'Driscoll		4885 Bucknall Road San Jose, CA 95130 Phone: (408) 585-5738 Fax: N/A		550 Greenville Road Livermore, CA 94550 Phone: (925) 245-1300 Fax: (925) 245-1007		P.O. Box 1220 Danville, CA 94526 Phone: (925) 984-2581 Fax: (925) 984-2583	
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
1	Mobilization, Staging & Stockpiling per Sections 7-8.4 & 9-2.4	1 LS	\$40,000.00	\$40,000.00	\$3,000.00	\$3,000.00	\$20,000.00	\$20,000.00	\$15,000.00	\$15,000.00
2	Temporary Traffic Control per Section 600	1 LS	\$40,000.00	\$40,000.00	\$25,000.00	\$25,000.00	\$34,342.00	\$34,342.00	\$20,000.00	\$20,000.00
3	Install Curb and Gutter per City Standard Plan No. 100	1,080 LF	\$80.00	\$86,400.00	\$50.00	\$54,000.00	\$65.00	\$70,200.00	\$100.00	\$108,000.00
4	Install Wheelchair Curb Cut Ramp per City Standard Plan Nos. 106A and 106B	4,150 SF	\$33.00	\$136,950.00	\$30.00	\$124,500.00	\$28.00	\$116,200.00	\$32.00	\$132,800.00
5	Install Sidewalk per City Standard Plan No. 100	1,820 SF	\$24.00	\$43,680.00	\$25.00	\$45,500.00	\$20.00	\$36,400.00	\$18.00	\$32,760.00
6	Install Concrete Apron per City Standard Plan No. 114	280 SF	\$38.00	\$10,640.00	\$30.00	\$8,400.00	\$25.00	\$7,000.00	\$25.00	\$7,000.00
7	Install Concrete Valley Gutter per City Standard Plan No. 114	300 SF	\$49.00	\$14,700.00	\$35.00	\$10,500.00	\$25.00	\$7,500.00	\$30.00	\$9,000.00
8	Install Asphalt Concrete Tie-ins per City Standard Plan Nos. 100 & 114	995 CF	\$42.00	\$41,790.00	\$26.00	\$25,870.00	\$27.00	\$26,865.00	\$20.00	\$19,900.00
9	Install Wet Set Truncated Dome Panel per City Standard Plan No. 106D	2 EA	\$2,000.00	\$4,000.00	\$900.00	\$1,800.00	\$750.00	\$1,500.00	\$2,200.00	\$4,400.00
10	Adjust Utility Box to Grade per Section 301-1.6	4 EA	\$500.00	\$2,000.00	\$500.00	\$2,000.00	\$280.00	\$1,120.00	\$500.00	\$2,000.00
11	Relocate Roadside Sign and Post per Section 315	2 EA	\$550.00	\$1,100.00	\$600.00	\$1,200.00 **	\$150.00	\$300.00	\$500.00	\$1,000.00
12	Relocate Roadside Sign on New Post per Section 315	9 EA	\$650.00	\$5,850.00	\$800.00	\$7,200.00	\$500.00	\$4,500.00	\$500.00	\$4,500.00
13	Paint Curb Red per Section 314-4	1 LF	\$3,000.00	\$3,000.00	\$3,800.00	\$3,800.00	\$3,452.00	\$3,452.00	\$5,000.00	\$5,000.00

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 Street Sealing 2019-20
Curb Ramp Upgrade Phase**
PROJECT NO.: **2020.0070**
BID NO.: **19-20.012**

BID OPENING			ENGINEER'S ESTIMATE		Villalobos & Associates		FBD Vanguard Construction, Inc.		Spenco Construction, Inc.	
DATE: Wednesday, May 6, 2020 TIME: 2:00 p.m. LOCATION: City Clerk's Office			Date Approved: Prepared by: J. O'Driscoll		4885 Bucknall Road San Jose, CA 95130 Phone: (408) 585-5738 Fax: N/A		550 Greenville Road Livermore, CA 94550 Phone: (925) 245-1300 Fax: (925) 245-1007		P.O. Box 1220 Danville, CA 94526 Phone: (925) 984-2581 Fax: (925) 984-2583	
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
14	Relocate Existing Type 1-B Pole with Pedestrian Head & Push Button per Section 701-10	1 EA	\$3,500.00	\$3,500.00	\$5,500.00	\$5,500.00	\$7,268.00	\$7,268.00	\$7,200.00	\$7,200.00
15	Install Pull box per Section 701-11	1 EA	\$2,500.00	\$2,500.00	\$500.00	\$500.00	\$277.00	\$277.00	\$300.00	\$300.00
16	Install Conduit per Section 701-12	8 LF	\$150.00	\$1,200.00	\$250.00	\$2,000.00	\$333.00	\$2,664.00	\$350.00	\$2,800.00
TOTAL BASE BID:			\$437,310.00		\$320,770.00 **		\$339,588.00		\$371,660.00	
REQUIRED DOCUMENTATION:			Bid Bond		YES		YES		YES	
			San Leandro Local Business		NO		NO		NO	
			25 % Participation		NO		NO		NO	
			Good Faith Effort		tbd		tbd		tbd	
			Agreement to be Bound		YES		YES		YES	
Addendum #1 - 5		YES		YES		YES		YES		
SUBCONTRACTORS:			Mercoza Cemex		Columbia Electric, Inc.		TPRC-Traffic Solutions Central Concrete Columbia Electric			
SECURITIES:			10% Bid Bond		10% Bid Bond		10% Bid Bond			
NOTES:			** Math Error Corrected *** Adjusted bid calculation based on Local Business Preference							

Reviewed by: John O'Driscoll Date: 5/8/2020
John O'Driscoll, Project Manager

Reviewed by: Nick Thom Date: 5/8/2020
Nick Thom, City Engineer

BID SUMMARY



PROJECT TITLE: Annual Street Sealing 2019-20
Curb Ramp Upgrade Phase
PROJECT NO.: 2020.0070
BID NO.: 19-20.012

BID OPENING			ENGINEER'S ESTIMATE		SillMan Industries		Rosas Brothers Construction	
DATE: Wednesday, May 6, 2020 TIME: 2:00 p.m. LOCATION: City Clerk's Office			Date Approved: Prepared by: J. O'Driscoll		1600 Factor Avenue San Leandro, CA 94577 Phone: (510) 347-4800 Fax: (510) 347-4801		4731 Coliseum Way Oakland, CA 94601 Phone: (510) 534-1077 Fax: (510) 534-5077	
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
1	Mobilization, Staging & Stockpiling per Sections 7-8.4 & 9-2.4	1 LS	\$40,000.00	\$40,000.00	\$10,000.00	\$10,000.00	\$3,000.00	\$3,000.00
2	Temporary Traffic Control per Section 600	1 LS	\$40,000.00	\$40,000.00	\$10,000.00	\$10,000.00	\$7,000.00	\$7,000.00
3	Install Curb and Gutter per City Standard Plan No. 100	1,080 LF	\$80.00	\$86,400.00	\$85.00	\$91,800.00	\$85.00	\$91,800.00
4	Install Wheelchair Curb Cut Ramp per City Standard Plan Nos. 106A and 106B	4,150 SF	\$33.00	\$136,950.00	\$38.00	\$157,700.00	\$37.00	\$153,550.00
5	Install Sidewalk per City Standard Plan No. 100	1,820 SF	\$24.00	\$43,680.00	\$25.00	\$45,500.00	\$28.00	\$50,960.00
6	Install Concrete Apron per City Standard Plan No. 114	280 SF	\$38.00	\$10,640.00	\$35.00	\$9,800.00	\$43.00	\$12,040.00
7	Install Concrete Valley Gutter per City Standard Plan No. 114	300 SF	\$49.00	\$14,700.00	\$60.00	\$18,000.00	\$50.00	\$15,000.00
8	Install Asphalt Concrete Tie-ins per City Standard Plan Nos. 100 & 114	995 CF	\$42.00	\$41,790.00	\$50.00	\$49,750.00	\$30.00	\$29,850.00
9	Install Wet Set Truncated Dome Panel per City Standard Plan No. 106D	2 EA	\$2,000.00	\$4,000.00	\$1,200.00	\$2,400.00	\$2,500.00	\$5,000.00
10	Adjust Utility Box to Grade per Section 301-1.6	4 EA	\$500.00	\$2,000.00	\$550.00	\$2,200.00	\$300.00	\$1,200.00
11	Relocate Roadside Sign and Post per Section 315	2 EA	\$550.00	\$1,100.00	\$800.00	\$1,600.00	\$400.00	\$800.00
12	Relocate Roadside Sign on New Post per Section 315	9 EA	\$650.00	\$5,850.00	\$750.00	\$6,750.00	\$600.00	\$5,400.00
13	Paint Curb Red per Section 314-4	1 LF	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00

BID SUMMARY



PROJECT TITLE: **Annual Street Sealing 2019-20**
Curb Ramp Upgrade Phase
 PROJECT NO.: **2020.0070**
 BID NO.: **19-20.012**

BID OPENING			ENGINEER'S ESTIMATE		SiIMan Industries		Rosas Brothers Construction	
DATE: Wednesday, May 6, 2020 TIME: 2:00 p.m. LOCATION: City Clerk's Office			Date Approved: Prepared by: J. O'Driscoll		1600 Factor Avenue San Leandro, CA 94577 Phone: (510) 347-4800 Fax: (510) 347-4801		4731 Coliseum Way Oakland, CA 94601 Phone: (510) 534-1077 Fax: (510) 534-5077	
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
14	Relocate Existing Type 1-B Pole with Pedestrian Head & Push Button per Section 701-10	1 EA	\$3,500.00	\$3,500.00	\$2,000.00	\$2,000.00	\$8,500.00	\$8,500.00
15	Install Pull box per Section 701-11	1 EA	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00	\$350.00	\$350.00
16	Install Conduit per Section 701-12	8 LF	\$150.00	\$1,200.00	\$250.00	\$2,000.00	\$350.00	\$2,800.00
TOTAL BASE BID:			\$437,310.00		\$413,500.00		\$392,250.00	
REQUIRED DOCUMENTATION:			Bid Bond		\$372,150.00 ***			
			San Leandro Local Business		YES		YES	
			25 % Participation		YES		NO	
			Good Faith Effort		N/A		Yes	
			Agreement to be Bound		N/A		N/A	
			Addendum #1 - 5		YES		YES	
SUBCONTRACTORS:					Lombardo Drilling R&M Paving		Ransome Company Columbia Electric	
SECURITIES:					10% Bid Bond		10% Bid Bond	
NOTES:								

Reviewed by: John O'Driscoll **Date:** 5/8/2020
 John O'Driscoll, Project Manager

Reviewed by: Nick Thom **Date:** 5/8/2020
 Nick Thom, City Engineer

BID SUMMARY



PROJECT TITLE: Annual Street Sealing 2019-20
Curb Ramp Upgrade Phase
PROJECT NO.: 2020.0070
BID NO.: 19-20.012

BID OPENING		ENGINEER'S ESTIMATE		Sposeto Engineering, Inc.		Ray's Electric		
DATE: Wednesday, May 6, 2020 TIME: 2:00 p.m. LOCATION: City Clerk's Office		Date Approved: Prepared by: J. O'Driscoll		4558 Contractors Place Livermore, CA 94551 Phone: (925) 443-4200 Fax: (925) 443-6800		411 Pendleton Way, Suite B Oakland, CA 94621 Phone: (510) 577-7700 Fax: (510) 577-7706		
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
1	Mobilization, Staging & Stockpiling per Sections 7-8.4 & 9-2.4	1 LS	\$40,000.00	\$40,000.00	\$19,000.00	\$19,000.00	\$60,000.00	\$60,000.00
2	Temporary Traffic Control per Section 600	1 LS	\$40,000.00	\$40,000.00	\$20,060.00	\$20,060.00	\$80,000.00	\$80,000.00
3	Install Curb and Gutter per City Standard Plan No. 100	1,080 LF	\$80.00	\$86,400.00	\$76.00	\$82,080.00	\$100.00	\$108,000.00
4	Install Wheelchair Curb Cut Ramp per City Standard Plan Nos. 106A and 106B	4,150 SF	\$33.00	\$136,950.00	\$29.00	\$120,350.00	\$50.00	\$207,500.00
5	Install Sidewalk per City Standard Plan No. 100	1,820 SF	\$24.00	\$43,680.00	\$19.00	\$34,580.00	\$40.00	\$72,800.00
6	Install Concrete Apron per City Standard Plan No. 114	280 SF	\$38.00	\$10,640.00	\$28.00	\$7,840.00	\$50.00	\$14,000.00
7	Install Concrete Valley Gutter per City Standard Plan No. 114	300 SF	\$49.00	\$14,700.00	\$28.00	\$8,400.00	\$45.00	\$13,500.00
8	Install Asphalt Concrete Tie-ins per City Standard Plan Nos. 100 & 114	995 CF	\$42.00	\$41,790.00	\$76.00	\$75,620.00	\$32.00	\$31,840.00
9	Install Wet Set Truncated Dome Panel per City Standard Plan No. 106D	2 EA	\$2,000.00	\$4,000.00	\$1,225.00	\$2,450.00	\$1,500.00	\$3,000.00
10	Adjust Utility Box to Grade per Section 301-1.6	4 EA	\$500.00	\$2,000.00	\$160.00	\$640.00	\$1,000.00	\$4,000.00
11	Relocate Roadside Sign and Post per Section 315	2 EA	\$550.00	\$1,100.00	\$307.00	\$614.00	\$1,000.00	\$2,000.00
12	Relocate Roadside Sign on New Post per Section 315	9 EA	\$650.00	\$5,850.00	\$452.00	\$4,068.00	\$600.00	\$5,400.00
13	Paint Curb Red per Section 314-4	1 LF	\$3,000.00	\$3,000.00	\$7,850.00	\$7,850.00	\$5,000.00	\$5,000.00

BID SUMMARY



PROJECT TITLE: **Annual Street Sealing 2019-20**
Curb Ramp Upgrade Phase
 PROJECT NO.: **2020.0070**
 BID NO.: **19-20.012**

BID OPENING		ENGINEER'S ESTIMATE						
DATE: Wednesday, May 6, 2020		Date Approved:		Sposeto Engineering, Inc.		Ray's Electric		
TIME: 2:00 p.m.		Prepared by: J. O'Driscoll		4558 Contractors Place		411 Pendleton Way, Suite B		
LOCATION: City Clerk's Office				Livermore, CA 94551		Oakland, CA 94621		
				Phone: (925) 443-4200		Phone: (510) 577-7700		
				Fax: (925) 443-6800		Fax: (510) 577-7706		
ITEM NO.	ITEM	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
14	Relocate Existing Type 1-B Pole with Pedestrian Head & Push Button per Section 701-10	1 EA	\$3,500.00	\$3,500.00	\$8,560.00	\$8,560.00	\$3,500.00	\$3,500.00
15	Install Pull box per Section 701-11	1 EA	\$2,500.00	\$2,500.00	\$327.00	\$327.00	\$1,700.00	\$1,700.00
16	Install Conduit per Section 701-12	8 LF	\$150.00	\$1,200.00	\$395.00	\$3,160.00	\$200.00	\$1,600.00
TOTAL BASE BID:				\$437,310.00	\$395,599.00		\$613,840.00	
REQUIRED DOCUMENTATION:			Bid Bond		YES		YES	
			San Leandro Local Business		NO		NO	
			25 % Participation		NO		NO	
			Good Faith Effort		tbd		tbd	
			Agreement to be Bound		YES		YES	
			Addendum #1 - 5		YES		YES	
SUBCONTRACTORS:				Columbia Electric Chrisp Company		Accurate Land Solutions Chrisp Company CMC Traffic Control Specialists		
SECURITIES:				10% Bid Bond		10% Bid Bond		
NOTES:								

Reviewed by: *John O'Driscoll* **Date:** 5/8/2020
 John O'Driscoll, Project Manager

Reviewed by: *Nick Thom* **Date:** 5/8/2020
 Nick Thom, City Engineer



City of San Leandro

Meeting Date: June 15, 2020

Resolution - Council

File Number: 20-117 **Agenda Section:** CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Jeff Kay
City Manager

BY: Keith Cooke
Engineering & Transportation Director

FINANCE REVIEW: Liz Warmerdam
Interim Finance Director

TITLE: RESOLUTION of the City of San Leandro City Council to Award a \$339,588.00 Construction Contract to FBD Vanguard Construction, Inc. for the Annual Street Sealing 2019-2020 - Curb Ramp Upgrade Phase , Project No. 2020.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$16,979) 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 25% (or \$84,895) of the Original Contract Amount

(Provides for the upgrade of curb ramps at locations within the work areas of the 2020 Asphalt Maintenance Zone and authorization for the City Manager to negotiate and execute contract change orders up to 25% of the contract amount)

WHEREAS, the City of San Leandro did, on May 6, 2020, 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 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 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 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 of said proposals or bids except that 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, to wit, FBD Vanguard Construction, Inc., in the amount of \$339,588.00; and

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 \$16,979 each; and

That the City Manager or his designee is authorized to negotiate and approve cumulative change orders up to a maximum of 25% of the original contract amount, or \$84,895; 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.