



Office of the City Manager

CONSENT CALENDAR
January 31, 2023

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Liam Garland, Director, Department of Public Works
Subject: Contract: Koios Engineering, Inc. for Urgent Sewer Repair FY2023 Project

RECOMMENDATION

Adopt a Resolution: 1) approving plans and specifications for the Urgent Sewer Repair FY2023 Project, located throughout the City of Berkeley; 2) accepting the bid of the lowest responsive and responsible bidder, Koios Engineering, Inc.; and 3) authorizing the City Manager to execute a contract and any amendments, extensions, or other change orders until completion of the project in accordance with the approved plans and specifications, in an amount not to exceed \$1,490,427, which includes a 10% contingency of \$135,493.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2023 Sanitary Sewer Fund 611-54-623-676-3013-000-473-665130-PWENSR2303.

Low bid by Koios Engineering, Inc.....	\$1,354,934
10% Contingency	\$135,493
Total construction cost	\$1,490,427

CURRENT SITUATION AND ITS EFFECTS

An Invitation for Bids (Specification. No. 23-11544-C) was released on October 26, 2022 and opened on November 17, 2022. Three non-local bids were received, ranging from a low of \$1,354,934 to a high of \$1,581,068 (Attachment 3, Bid Results). The engineer's estimate for the project was \$1,200,000. Koios Engineering, Inc. of San Francisco, CA was the lowest responsive and responsible bidder with a bid of \$1,354,934. References for Koios Engineering, Inc. proved satisfactory, thus staff recommends award of the contract to Koios Engineering, Inc.

This sanitary sewer project supports the City's Strategic Plan goals of providing state

of-the-art, well-maintained infrastructure, amenities, and the goal of protecting the environment.

BACKGROUND

To remain compliant with the Consent Decree dated September 22, 2014, the City has implemented a long-term mandated Sanitary Sewer Capital Improvement Program to eliminate sanitary sewer overflows (SSOs) and to reduce stormwater infiltration and inflow into the sanitary sewer system. Under this program, the City utilizes a comprehensive asset management approach based on complex and evolving hydrologic and hydraulic modeling and condition assessments to repair, replace, or upgrade the City's portion of the sanitary sewer system. Ultimately, these actions will assist East Bay Municipal Utility District (EBMUD) in its goal of eliminating discharges from its wet weather facilities by the end of 2035.

This is the ninth year of the twenty-two-year Consent Decree program, which stipulates that the City shall perform collection system repair and rehabilitation to control infiltration and inflow.¹ This is in support of and in addition to ongoing work previously identified in the City's Sanitary Sewer Management Plan (SSMP) and Asset Management Implementation Plan (AMIP).

This sanitary sewer project is part of the City's ongoing program to rehabilitate or replace its aging sanitary sewer system, and to eliminate potential health hazards to the public. The project is located throughout the City as shown on the Location Map (Attachment 2). The sanitary sewer collection system in these areas needs immediate rehabilitation to prevent pipe failures, sewer blockages, and leakage problems. Field investigations performed using a closed-circuit television camera revealed deteriorated piping and pipe defects in the existing sanitary sewer mains. These conditions are similar to problems previously found in other sanitary sewer mains prior to their replacement.

Planned work entails point (spot) repair of 6-inch, 8-inch diameter sanitary sewer pipes at sixteen locations; rehabilitation of four maintenance holes; removal and reconstruction of fifty-three maintenance holes; and any related work. These repairs will correct existing acute defects including imminent structural failures identified during the FY2022 sewer main inspection and condition assessment program. The planned scope of work also includes provision for emergency/urgent work related to acute sewer system defects at other locations that may arise during FY 2023. As required by the EPA and Regional Water Quality Control Board (RWQCB) Consent Decree, such acute defects must be addressed within one year of being identified. The contract's one hundred thirty-five working day term includes a ninety-working day construction period and an additional forty-five working days for project closeout. A 10% contingency is included for related construction events.

¹ At an average annual rate of no less than 22,120 feet of sanitary sewer mains on a three-fiscal-year rolling average.

The Living Wage Ordinance does not apply to this project as Department of Public Works construction contracts are subject to State prevailing wage laws. Koios Engineering, Inc. has submitted a Certification of Compliance with the Equal Benefits Ordinance.

The City filed a Notice of Exemption declaring this work is exempt from the California Environmental Quality Act (CEQA). This notification was filed with Alameda County to fulfill the requirement for public notification. No comments, questions, or protests were received.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Improvements to the City's sanitary sewer system will help protect water quality by reducing the frequency of SSOs, and infiltration and inflow into the City's sanitary sewer system that can negatively affect the San Francisco Bay.

RATIONALE FOR RECOMMENDATION

Contracted services are required for the specialized services required for this project, as the City lacks the in-house resources needed to complete scheduled sanitary sewer rehabilitation and replacement projects. Further, the City must take timely action to address urgent/emergent sewer repairs without delay. Finally, subject to fines and stipulated penalties, the Consent Decree demands the City to repair acute defects within one year of discovery, and complete sanitary sewer mains rehabilitation and replacement at an average annual rate of no less than 22,120 feet on a three-fiscal-year rolling average. The City will have a three-year annual average of approximately 22,600 linear feet of replaced or rehabilitated sewer through the end of FY 2023 on June 30, 2023.

ALTERNATIVE ACTIONS CONSIDERED

No reasonable alternative exists as the City's sanitary sewer pipelines are in poor condition and in need of timely rehabilitation to prevent an increased probability of infiltration and inflows, sanitary sewer leakages, and backup problems in the sanitary sewer system.

CONTACT PERSON

Joe Enke, Manager of Engineering, Public Works, (510) 981-6411
Daniel Akagi, Supervising Civil Engineer, Public Works, (510) 981-6394
Farid Javandel, Deputy Director of Public Works, Transportation and Engineering (510) 981-7061

Attachments:

- 1: Resolution
- 2: Location Map
- 3: Bid Results

RESOLUTION NO. ##,###-N.S.

CONTRACT: KOIOS ENGINEERING INC. FOR URGENT SEWER REPAIR
FY2023 PROJECT.

WHEREAS, the Sanitary Sewer Project is part of the City's on-going Sanitary Sewer Capital Improvement Program to rehabilitate or replace the aging and deteriorated sanitary sewer system; and

WHEREAS, the Capital Improvement Program is a requirement of compliance with the National Pollution Discharge Elimination System Permit (NPDES) and California Regional Water Quality Control Board Consent Decree; and

WHEREAS, the City has neither the staff nor the equipment necessary to undertake this Sanitary Sewer Rehabilitation Project and other urgent/emergent sewer repairs; and

WHEREAS, on October 26, 2022 the City released an Invitation for Bids (Specification No. 23-11544-C) for sanitary sewer rehabilitation and replacement; and

WHEREAS, on November 17, 2022 the City received three bids, and Koios Engineering, Inc. was found to be the lowest responsive and responsible bidder; and

WHEREAS the City filed a Notice of Exemption on May 19, 2022 declaring these urgent repairs are exempt from the California Environmental Quality Act, and

WHEREAS, funds are available in the FY 2023 budget in Sanitary Sewer Fund 611; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specifications No. 23-11544-C for the Urgent Sewer Repair FY2023 Project are approved.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments with Koios Engineering, Inc., until completion of the project in accordance with the approved plans and specifications for the Urgent Sewer Repair FY2023 Project located throughout the City, in an amount not to exceed \$1,490,427 which includes a 10% contingency for unforeseen circumstances. A record signature copy of said agreement and any amendments will be on file in the Office of the City Clerk.

CITY OF BERKELEY, CALIFORNIA SANITARY SEWER REHABILITATION URGENT SEWER PROJECT FY 2023 SPECIFICATION NO. 23-11544-C



LEGEND

- POINT REPAIR LOCATION
- MAINTENANCE HOLE REHAB/REPLACE



City of Berkeley
Abstract of Bid Worksheet

Finance Department
General Services Division

Spec. No.
23-11544-C

Bid Date: 11.17.2023

FOR: Urgent Sanitary Sewer Repair FY 2023

required w/ bid

	Bidders	Base Bid	Bid Bond	Addendum (1)	Experience - Fin. Qual.	Taxpayer ID	Opp.States	Nuclear Free	EBO	Sanctuary City
1	Glosage Engineering, Inc.	\$ 1,468,700.00	X	X	X	X	X	X	X	X
2	Kerex Engineering	\$ 1,581,068.00	X	X	X	X	X	X	X	X
3	Koios Engineering, Inc.	\$ 1,354,934.00	X	X	X	X	X	X	X	X
4										
5										
6										
7										
8										
9										
10										

Bid Recorder: Josh Roben

Bid Opener: Darryl Sweet

Project Manager: Adadu Yemane

JR

Darryl Sweet

Adadu Yemane