



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: Gruendl Inc. DBA Ray's Electric for Martin Luther King Jr. Way Vision Zero Quick Build Project

RECOMMENDATION

1. Approve plans and specifications for the Martin Luther King Jr. Way Vision Zero Quick Build Project, (Project), Specification No. 23-11554-C;
2. Accept the bid of Gruendl Inc. Doing Business As (DBA) Ray's Electric, the lowest responsive and responsible bidder; and
3. Authorize the City Manager to execute a contract with Gruendl Inc. DBA Ray's Electric and any amendments, extensions, and/or change orders until completion of the Project in accordance with the approved plans and specifications, in an amount not to exceed \$1,663,900, which includes a contingency of ten percent for unforeseen circumstances.

FISCAL IMPACTS OF RECOMMENDATION

The construction budget for the Martin Luther King Jr. Way Vision Zero Quick Build Project is \$1,663,900, including contingency. The construction of this Project is funded in part by a California Active Transportation Program (ATP) grant administered through the California Transportation Commission (CTC). Funds are available in the FY 2023 budget in the funding sources indicated below:

Contract: Gruendl Inc. DBA Ray's Electric
for Martin Luther King Jr. Way Vision Zero Quick Build Project

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Project	ATP Grant-State	Alameda County Measure F VRF Streets and Roads Program	Alameda County Measure BB Local Streets and Roads Program	Alameda County Measure BB Bicycle and Pedestrian Program	City of Berkeley Street Lighting Fund	City of Berkeley Capital Improvement Fund
	(Fund 306)	(Fund 133)	(Fund 134)	(Fund 135)	(Fund 142)	(Fund 501)
Martin Luther King Jr. Way Vision Zero Quick Build, Specification No. 23-11554-C	\$470,000	\$215,100	\$390,000	\$100,000	\$118,800	\$370,000
Total funding for construction: \$1,663,900	\$1,663,900					

Low Bid by Ray's Electric	\$1,512,567.25
10% Contingency	\$151,256.73
Total Not-To-Exceed Construction Cost	\$1,663,900

CURRENT SITUATION AND ITS EFFECTS

On November 17, 2022, two bids were received and opened for construction of the Project, in the amounts of \$1,512,567.25 and \$1,651,194.00. The determination of the low bidder was based on the total price of all bid items, as described in the bid documents. The low bidder is Gruendl Inc. DBA Ray's Electric (Ray's Electric), with a bid of \$1,512,567.25, or \$246,567 above the engineer's estimate of \$1.266 million. Staff has identified additional funding to cover the total bid price of the low bidder, plus a 10% contingency, as indicated above. Staff has verified that Ray's Electric is the lowest responsive and responsible bidder in accordance with the Public Contract Code.

The Living Wage Ordinance does not apply to this project as the Public Works Department's construction contracts are, pursuant to City policy, subject to State prevailing wage laws. Ray's Electric has submitted a Certification of Compliance with the Equal Benefits Ordinance. The Community Workforce Agreement applies to this project because the estimated construction cost exceeds \$500,000. As a result, the successful bidder and all subcontractors will be required to sign an agreement to be bound by the terms of the Community Work Force Agreement.

BACKGROUND

The primary purpose of the Martin Luther King Jr. Way Vision Zero Quick Build Project is to improve safety for pedestrians and bicyclists crossing Martin Luther King Jr. Way (MLK), in accordance with the City's Vision Zero Action Plan which establishes a strategy to eliminate all traffic fatalities and severe injuries by 2028 while increasing safe, healthy, and equitable mobility for all. The initial framework for the Project was conceived during the development of the 2017 Berkeley Pedestrian Plan, in which a variety of community outreach and engagement activities played a key role in identifying recommended pedestrian safety improvements, and reaffirmed during the development of the 2020 Berkeley Pedestrian Plan. The proposed Project is intended to make walking and biking safer and more convenient modes of transportation along the MLK corridor by connecting important destinations, improving crossings at intersections, and addressing the goals of the Berkeley Pedestrian Plan, and the Berkeley Vision Zero Action Plan.

The Project extents include the MLK corridor from Dwight Way to Russell Street and include a total of nine intersections: Dwight Way, Blake Street, Parker Street, Carleton Street, Derby Street, Ward Street, Stuart Street, Oregon Street, and Russell Street.

The Project will construct the following components:

- Pedestrian refuge islands, hardened centerlines, curb ramps, and/or enhanced crosswalk lighting at selected intersections.
- Rectangular rapid flashing beacons (RRFBs) on Martin Luther King Jr. Way at Oregon Street, Stuart Street, and Parker Street.
- Pavement resurfacing with a particular focus on crosswalks, including high-visibility crosswalk markings and pavement markings.
- Red curbs to improve the visibility of pedestrians and bicyclists at intersections.

City staff made a concerted effort to engage the public and solicit input during the conceptual design phase of the Project. On March 3, 2022, City staff hosted an online meeting to obtain community input on the overall Project concept, including improvements proposed at each of the nine intersections along the MLK corridor. City staff used community feedback from this process to develop the final design of the Project.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The purpose of the ATP is to encourage increased use of active modes of transportation, such as biking and walking. Increasing biking and walking would help the City comply with the 2009 Berkeley Climate Action Plan Policy 5.a that calls for expanding and improving Berkeley's bicycle and pedestrian infrastructure. The Climate Action Plan further states that transportation modes such as public transit, walking, and bicycling must

become the primary means of fulfilling the City's mobility needs in order to meet these targets.

RATIONALE FOR RECOMMENDATION

The proposed Project components were designed to address pedestrian and bicycle crossing safety needs along the MLK corridor, in accordance with the Berkeley Pedestrian Plan and the Berkeley Vision Zero Action Plan. Furthermore, the Vision Zero Action Plan classifies MLK as a High-Injury Street in an Equity Priority Area. An Equity Priority Area considers historic data in prioritizing infrastructure projects that remedy systemic inequity. As a whole, the work of this Project is a significant step forward to improve safety at intersection crossings and for people of all ages and abilities to traverse the MLK corridor more safely by walking or biking.

ALTERNATIVE ACTIONS CONSIDERED

Council could opt not to take the proposed actions at this time and instead defer this item to a future Council agenda. Such a decision would delay the construction of the Project and could cause the City to fail to meet its ATP grant funding obligation to award a construction contract within six months of receiving the construction grant fund allocation. The deadline to award a construction contract to meet the ATP grant funding obligation is February 18, 2023. Failure to award a contract by this date would ultimately endanger the delivery of not only this Project, but could also jeopardize the City's ability to secure funding for future ATP grant-funded projects.

CONTACT PERSON

Farid Javandel, Deputy Director of Public Works, Transportation and Engineering (510) 981-7061

Ken Jung, Supervising Civil Engineer, Public Works Department (510) 981-7028

Ian Bronswick, Associate Civil Engineer, Public Works Department (510) 981-6399

Attachments:

- 1: Resolution
- 2: Site Map
- 3: Abstract of Bids

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

CONTRACT: GRUENDL INC. DBA RAY'S ELECTRIC FOR MARTIN LUTHER KING JR. WAY VISION ZERO QUICK BUILD PROJECT

WHEREAS, the design of the Martin Luther King Jr. Way Vision Zero Quick Build Project (Specification No. 23-11554-C) consists of pedestrian and bicycle safety improvements across Martin Luther King Jr. Way at nine intersections, from Dwight Way to Russell Street; and

WHEREAS, the Project is identified as a priority project in the City's 2020 Pedestrian Plan; and

WHEREAS, the City has received a funding allocation from the California Active Transportation Program on August 18, 2022, and the construction contract for this Project must be awarded by the Council of the City of Berkeley by the funding deadline of February 18, 2023 to avoid forfeiture of these funds; and

WHEREAS, funds are available in the FY 2023 budget in the Capital Grants - State Fund (Fund 306), the Alameda County Measure F VRF Streets and Roads Program (Fund 133), the Measure BB Local Streets and Roads Fund (Fund 134), the Measure BB Bicycle and Pedestrian Fund (Fund 135), the Street Lighting Fund (Fund 142), and the Capital Improvements Fund (Fund 501); and

WHEREAS, no other funding is required, and no other project will be delayed due to this expenditure; and

WHEREAS, on October 19, 2022, the City released an Invitation for Bids for the work of this Project; and

WHEREAS, Gruendl Inc. doing business as Ray's Electric was found to be the lowest responsive and responsible bidder; and

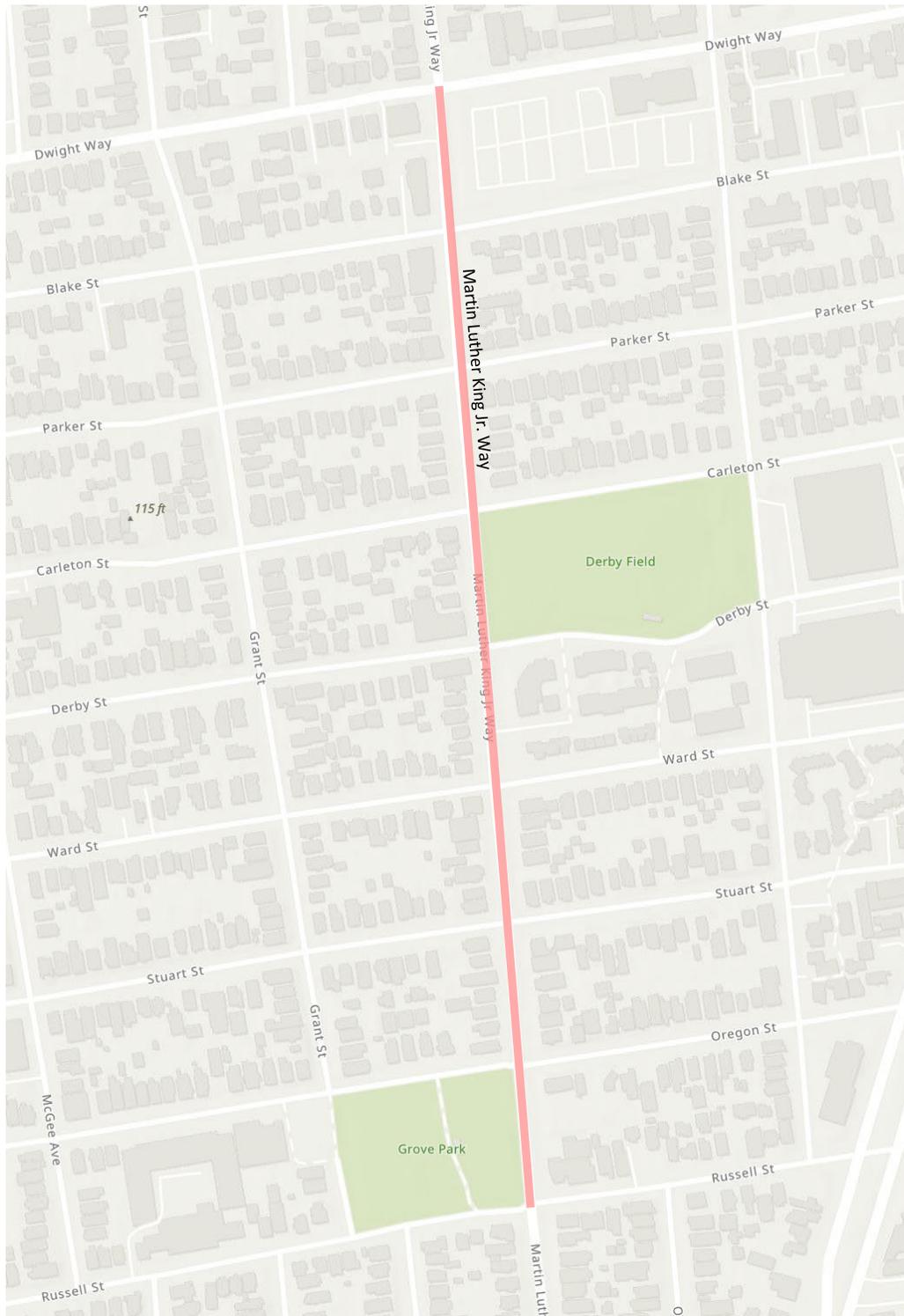
WHEREAS, the City has neither the staff nor the equipment needed to undertake the construction of this Project.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specifications for the Martin Luther King Jr. Way Vision Zero Quick Build Project (Specification No. 23-11554-C) are approved.

BE IT FUTHER RESOLVED that the Council of the City of Berkeley accepts the bid of Gruendl Inc. doing business as Ray's Electric as the lowest responsive and responsible bidder.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions, and/or change orders until completion of the Project in accordance with the approved Plans and Specifications with Gruendl Inc. doing business as Ray's Electric for an amount not to exceed \$1,663,900, which includes a ten percent construction 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.

Figure 1 - Site Map
Martin Luther King Jr. Way Vision Zero Quick Build Project – Project Spec.
No. 23-11554-C



Legend:

-  - Approximate location of project work



City of Berkeley
Abstract of Bid Worksheet

Finance Department
General Services Division

Spec. No.
23-11554-C

Bid Date: 11.17.2023

FOR: MLK Vision Zero Quick build

	Bidders	Base Bid	Bid Bond	Addendum (0)	Experience - Fin. Qual.	Taxpayer ID	Opp,States	Nuclear Free	EBO	Sanctuary City
1	Ray's Electric	\$ 1,512,567.25	X	N/A	X	X	X	X	X	X
2	Sposeto Engineering	\$ 1,651,194.00	X	N/A	X	X	X	X	X	X
3										
4										
5										
6										
7										
8										
9										
10										

Bid Recorder: Josh Roben

Bid Opener: Darryl Sweet

Project Manager: Ian Bronswicks

[Signature]

Darryl Sweet

[Signature]
