



Office of the City Manager

CONSENT CALENDAR

February 9, 2016

To: Honorable Mayor and Members of the City Council
 From: *DWR* Dee Williams-Ridley, Interim City Manager
 Submitted by: Phillip Harrington, Director, Public Works
 Subject: Contract: ERA Construction, Inc. for Fiscal Year 2016 Responsive Sidewalk Project

RECOMMENDATION

Adopt a Resolution:

1. Approving the plans and specifications for the Fiscal Year 2016 Responsive Sidewalk Project, 16-10989-C;
2. Accepting the bid of the lowest responsive and responsible bidder, ERA Construction, 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 \$307,321.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2016 budget in the following budget codes:

Special Gas Tax Fund (Fund 369-5216-431.65-40)	\$ 90,000
Measure BB Local Streets and Roads Fund (Fund 406-5216-431.65-40)	\$100,000
Capital Improvements Fund (Fund 610-5216-431.65-40):	\$ 49,821
Private Party Sidewalk Fund (Fund 642-5216-431.65-40):	<u>\$ 67,500.</u>
Total	\$307,321

No other funding is required.

Low bid by ERA Construction, Inc.	\$260,392.76
Approximately 18% Contingency	<u>\$ 46,928.24</u>
Total construction cost	\$307,321.00

The Contract Management System number for this contract is CMS No.JYARA.

CURRENT SITUATION AND ITS EFFECTS

The sidewalks, driveways and curbs included in this project should be replaced to protect the public from trips and falls. Field investigations indicated deteriorated sidewalks, root uplifting from City trees, and various offsets (non-level edges) at these locations. These conditions are similar to those found at other sidewalk, driveway, and curb locations prior to their replacement by the City.

The work to be done includes replacing 23,112 square feet of concrete sidewalk; replacing 3,428 square feet of concrete driveways; and replacing 906 linear feet of concrete curbs. The contract term is 120 calendar days for construction activities.

BACKGROUND

The primary objectives of the Sidewalk Program comprise reducing potential for trip and fall incidents, and providing an accessible path of travel in compliance with the Americans with Disabilities Act of 1990. Secondly, sidewalk, curb and gutter work is also performed to improve the flow of storm water, and for improved vehicle access.

There are approximately 300 miles of concrete sidewalk in the City, of which it is estimated approximately 15-20 miles are damaged enough to justify immediate permanent replacement. While emergent or unusually hazardous areas are quickly repaired, many other non-emergent areas also identified wait several years for repair. The Fiscal Year 2016 Responsive Sidewalk Project will address multiple locations that show the highest potential to reduce possible trip and fall incidents.

This project was released for bids November 6, 2015, and bids were opened on December 8, 2015. Three bids were received, ranging from a low of \$260,392.76 to a high of \$538,777.66. ERA Construction, Inc. was the lowest responsive and responsible bidder. References for ERA Construction, Inc. were provided and proved satisfactory. Therefore, staff recommends a contract for this project be awarded to ERA Construction, Inc. The Living Wage Ordinance does not apply to this project since Public Works construction contracts are, pursuant to City policy, subject to State prevailing wage laws. The contractor must submit a Certification of Compliance for the Equal Benefits Ordinance.

ENVIRONMENTAL SUSTAINABILITY

Sidewalk repair is an important component of the City's Climate Action Plan. Well-maintained sidewalks help to promote walking, which is a healthy and carbon-emission free form of transportation.

RATIONALE FOR RECOMMENDATION

Contracted services are required for these large projects. The City does not have the labor or equipment resources in-house to complete this sidewalk project. If rehabilitative action is delayed, the proposed sidewalk repairs will be delayed, and the continued possibility of a higher number of trip and fall incidents will result.

ALTERNATIVE ACTIONS CONSIDERED

There is no reasonable alternative as the sidewalks, driveways and concrete curbs are in poor and deteriorated condition and in need of repair.

CONTACT PERSON

Sean Rose, Manager of Engineering, Public Works, 981-6435

Tracy Clay, Supervising Civil Engineer, Public Works, 981-6406

Reeve Battle, Assistant Public Works Engineer, Public Works, 981-6336

Attachments:

1: Resolution

2: Bid Results

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

CONTRACT: ERA CONSTRUCTION, INC. FOR FISCAL YEAR 2016 RESPONSIVE
SIDEWALK PROJECT

WHEREAS, the Sidewalk Project is part of the City's on-going Sidewalk Program to replace the aging and deteriorated sidewalk infrastructure; and

WHEREAS, the Sidewalk Capital Improvement Program will reduce the rate of trip and fall incidents and improve the accessible path of travel in compliance with the Americans with Disabilities Act of 1990; and

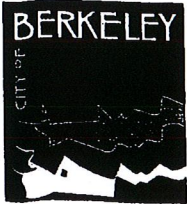
WHEREAS, the City has neither the labor nor the equipment necessary to undertake this Sidewalk Project; and

WHEREAS, an invitation for bids was duly advertised and ERA Construction, Inc. was the lowest responsive and responsible bidder; and

WHEREAS funds are available in the FY 2016 budget in the Special Gas Tax Fund 369, Measure BB Local Streets and Roads Fund 406; Capital Improvements Fund 610, and Private Party Sidewalk Fund 642, and the contract has been entered in the City database with CMS No. JYARA.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specifications No. 16-10989-C for the Sidewalk Project are approved.

BE IT FURTHER RESOLVED that the City Council approves the plans and specifications for the Fiscal Year 2016 Responsive Sidewalk Project, 16-10989-C; accepts the bid of the lowest responsive and responsible bidder, ERA Construction, Inc.; and authorizes the City Manager to execute a contract and any amendments, extensions or change orders with ERA Construction, Inc., until completion of the project in accordance with the approved specifications for the Fiscal Year 2016 Responsive Sidewalk Project, in an amount not to exceed \$307,321 that includes an 18% contingency for unforeseen circumstances. A record signature copy of said agreement and any amendments to be on file in the Office of the City Clerk.



Finance Department
General Services Division

ATTACHMENT 2: BID RESULTS

City of Berkeley
Abstract of Bid Worksheet

Bid Date: 12/8

Spec. # 16-10989-C

FOR: FY16 Responsive Sidewalk Project

	Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addenda
1	JJR Construction Inc	\$ 538,777.66	X		X		X	X	
2	ERA Construction	\$ 260,392.76	X		X		X	X	
3	Rpsas Bros. Const	\$ 298,999.00	X		X		X	X	
4									
5									
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10									

Bid Recorder: Kathy Grogan 12/8/15

Bid Opener: SP 12/8/15

Project Manager: Ann Smith 12.8.15

