

Office of the City Manager

RECEIVED AT
COUNCIL MEETING OF:

MAR 8 2016

OFFICE OF THE CITY CLERK
CITY OF BERKELEY

REVISED AGENDA MATERIAL

Meeting Date: March 8, 2016

Item Number: 10

Item Description: Contract: HM Construction for Berkeley Rose Garden Trellis Rehabilitation

Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront

This council consent report has been revised with the addition of the following text to the Resolution:

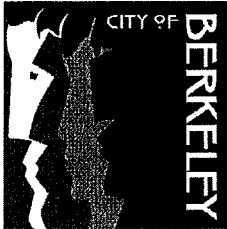
BE IT FURTHER AND FINALLY RESOLVED that:

- the City Council is aware that the contract with HM Construction that is approved by this resolution will only *begin* the Berkeley Rose Garden Trellis Rehabilitation project;
- the completion of this project as soon as feasible is a critical priority for the Council;
- while the City Council would prefer that the entire project be completed in one immediate phase, it understands that funding for doing so is not currently available;
- the City Council has been informed by City staff that the remainder of the necessary funding will be available in FY 2018;
- the Council anticipates and expects that staff will return to the Council with a contract to complete the Berkeley Rose Garden Trellis Rehabilitation project once the FY 2018 budget is approved in June 2017; and
- the Council directs the City Manager to provide it with an update on the timing and finding for the Berkeley Rose Garden Trellis Rehabilitation project as part of the FY 2018 budget.

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Office of the City Manager

CONSENT CALENDAR
March 8, 2016

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, Interim City Manager
Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront
Subject: Contract: HM Construction for Berkeley Rose Garden Trellis Rehabilitation

RECOMMENDATION

Adopt a Resolution:

1. Approving the plans and specifications for Berkeley Rose Garden Trellis Rehabilitation project, Specification No. 15-10961-C; and
2. Accepting the bid of HM Construction as the lowest responsive and responsible bidder for the amount of their Base Bid of \$291,350 plus Additive Bid Item No.2 for \$35,000, for a total contract of \$326,350; 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, with HM Construction, for the Berkeley Rose Garden Trellis Rehabilitation project at 1201 Euclid Avenue, in an amount not to exceed \$391,620, which includes a contract amount of \$326,350 and a 20% contingency in the amount of \$65,270.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2016 budget in the Parks Tax Fund (Fund 450), the Capital Improvements General Fund (Fund 610), and the Measure WW Parks Bond Fund (Fund 679). No other funding is required, and no other projects will be delayed due to this expenditure.

Low bid by HM Construction	\$291,350
Additive Alternate No. 2	\$35,000
20% Contingency	\$65,270
<u>Total construction cost</u>	<u>\$391,620</u>

Measure WW Parks Bond Fund (Fund 679-5850-450.65-25)	\$92,708
Measure WW Parks Bond Fund (Fund 679-5850-450.65-81)	\$172,500
Capital Improvements General Fund (Fund 610-5850-450.65-81)	\$61,142
<u>Parks Tax Fund (Fund 450-5850-450.65-81)</u>	<u>\$65,270</u>
<u>Total construction cost</u>	<u>\$391,620</u>

The Contract Management System number for this contract is CMS No. YB82N.

CURRENT SITUATION AND ITS EFFECTS

This improvement project is at Berkeley Rose Garden, located at 1201 Euclid Avenue. The Rose Garden Trellis is in need of renovation. The trellis is currently in disrepair and is closed for safety reasons. There are also accessibility issues that need to be improved, and pavement that needs to be replaced due to its deteriorated condition.

The work to be done includes, but is not limited to: the field verification and documentation of the dimensions, sizes, and layout of existing historic trellis; removal, inventory, and salvage of all wood members for reuse or for reclamation by the City; reconstruction of a portion of the wood trellis to match the original in size, form and configuration; removal and installation of new site paving and other ADA access improvements such as stairs and accessible ramps; design-build of new lighting at the Euclid Tunnel; and other site amenities. The contract will include a 20% contingency to cover related unexpected or miscellaneous construction services. The term of the contract is 150 calendar days, which includes a performance period of 90 days and an additional 60 days for project closeout.

This park improvement project is part of the City's ongoing program to repair, renovate, and improve accessibility at non-compliant or aging Parks facilities.

BACKGROUND

This project was advertised for bids on Tuesday, December 1, 2015, and bids were opened on January 12, 2016. The City received 6 bids, from a low of \$291,350 to a high of \$411,863. Including bid alternates, the range in bids was from a low of \$393,000 to a high of \$494,350. HM Construction was the lowest responsive and responsible bidder. References for HM Construction were provided and checked out satisfactorily. Staff recommends that a contract for this project be awarded to them.

The Living Wage Ordinance does not apply to this project since construction contracts are, pursuant to City policy, subject to State prevailing wage laws. The contractor will need to submit a Certification of Compliance for the Equal Benefits Ordinance.

ENVIRONMENTAL SUSTAINABILITY

The construction contract includes requirements to comply with the City's Environmentally Preferable Purchasing Policy and Construction and Demolition Waste Diversion program of at least 50%. The project is a renovation of a developed urban site and therefore will not negatively affect natural habitat.

RATIONALE FOR RECOMMENDATION

The Berkeley Rose Garden Trellis needs to be demolished and reconstructed due to its deteriorated condition. The City does not have the in-house labor or equipment resources to complete this park renovation project.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director, Parks Recreation & Waterfront, 981-6700

Christina Erickson, Deputy Director, PRW, 981-6703

Evelyn Chan, Associate Civil Engineer, PRW, 981-6430

Attachments:

- 1: Resolution
- 2: Bid Results

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

CONTRACT: HM CONSTRUCTION FOR BERKELEY ROSE GARDEN TRELLIS
REHABILITATION

WHEREAS, Berkeley Rose Garden Trellis is in need of rehabilitation; and

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

WHEREAS, an invitation for bids was duly advertised on December 1, 2015, bids were opened on January 12, 2016, and the City received 6 bids; and

WHEREAS, HM Construction was determined to be the lowest responsive and responsible bidder, and references for HM Construction were provided and checked out satisfactorily; and

WHEREAS, funding is available in the FY 2016 budget in the Parks Tax Fund (Fund 450), the Capital Improvements General Fund (Fund 610), and the Measure WW Parks Bond Fund (Fund 679), and the contract has been entered in the City's contract database as CMS No. YB82N.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specification No. 15-10961-C for Berkeley Rose Garden Trellis Rehabilitation are approved.

BE IT FURTHER RESOLVED that the construction contract is awarded to HM Construction as the lowest responsive and responsible bidder for the amount of their Base Bid of \$291,350 plus Additive Bid Item No. 2 for \$35,000, for a total contract of \$326,350.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions, or change orders until completion of the project in accordance with the approved plans and specifications with HM Construction for the Berkeley Rose Garden Trellis Rehabilitation project in an amount not to exceed \$391,620, which includes a contract amount of \$326,350 and a 20% contingency in the amount of \$65,270. A record signature copy of the agreement and any amendments to be on file in the Office of the City Clerk.

BE IT FURTHER AND FINALLY RESOLVED that:

- the City Council is aware that the contract with HM Construction that is approved by this resolution will only *begin* the Berkeley Rose Garden Trellis Rehabilitation project;
- the completion of this project as soon as feasible is a critical priority for the Council;

- while the City Council would prefer that the entire project be completed in one immediate phase, it understands that funding for doing so is not currently available;
- the City Council has been informed by City staff that the remainder of the necessary funding will be available in FY 2018;
- the Council anticipates and expects that staff will return to the Council with a contract to complete the Berkeley Rose Garden Trellis Rehabilitation project once the FY 2018 budget is approved in June 2017; and
- the Council directs the City Manager to provide it with an update on the timing and finding for the Berkeley Rose Garden Trellis Rehabilitation project as part of the FY 2018 budget.

