



Office of the City Manager

CONSENT CALENDAR  
March 13, 2018

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Phillip L. Harrington, Director, Department of Public Works  
 Subject: Contract: Mosto Construction, Inc. for Sanitary Sewer Rehabilitation -  
 Urgent Sewer Repair Project FY 2018

RECOMMENDATION

Adopt a Resolution approving plans and specifications for the Urgent Sewer Repair Project FY 2018 with sites located throughout the City; accepting the bid of the lowest responsible bidder, Mosto Construction, Inc.; and, authorizing execution of a contract and any amendments, extensions, or change orders until completion of the project in accordance with approved plans and specifications, in an amount not to exceed \$412,078.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2018 budget in Sanitary Sewer Fund 830-5213-432-6510.

Low bid by Mosto Construction, Inc. . . .	\$374,616
10% contingency	\$37,462
<b>Total construction cost</b>	<b>\$412,078</b>

The contract has been entered into the Contract Management System as CMS No. QLBTH.

CURRENT SITUATION AND ITS EFFECTS

This sanitary sewer project is part of the ongoing City program to rehabilitate or replace its aging sanitary sewer system, thereby eliminating potential health hazards to the public. As shown on the map appended to this report (Attachment 2), this project will be sited at various locations throughout the City wherein the sanitary sewer collection system needs immediate repair to prevent future pipe failures, blockages, and leakage problems. Field investigations performed using a closed-circuit television camera confirmed the existence of defects in sanitary sewer mains and manholes, which are typical problems found in the sanitary sewer mains and manholes prior to their replacement.

Planned work includes point (spot) repair of 8-inch and 10-inch diameter sanitary sewer pipes at twenty-two locations; rehabilitation of approximately 100 linear feet of sanitary sewer mains; rehabilitation of manholes; point repair of sanitary sewer laterals; and related work. These repairs will correct existing acute defects including imminent

structural failures identified during the FY 2017 sanitary sewer system inspection and condition assessment program.

The scope of work also includes provisions for other urgent or emergent work related to acute sanitary sewer system defects that may need to be undertaken at other citywide locations. As required by the United States Environmental Protection Agency (EPA) and Regional Water Quality Control Board (RWQCB) Consent Decree (Consent Decree), such acute defects must be addressed within one year of being identified to comply.

An Invitation for Bids (Spec. No. 18-11187-C) for the project was released December 19, 2017, and six non-local bids were received that ranged from \$374,616 to \$577,224 (Attachment 3). The engineer's project estimate was \$430,000. Mosto Construction, Inc. (Mosto) of Oakland, California was the lowest responsive and responsible bidder. The City has had a positive experience working with Mosto on the past Urgent Sewer Repair Project, and staff found the company's references to be satisfactory.

The Living Wage Ordinance does not apply to this project as Public Works construction contracts are, pursuant to City policy, subject to State prevailing wage laws. Mosto submitted a Certification of Compliance with the Equal Benefits Ordinance. The Community Workforce Agreement (CWA) does not apply to this contract because the estimated project value does not exceed \$500,000.

The contract's eighty-five working day term includes a forty working day performance period, and an additional forty-five working days for project closeout. Finally, a 10% contingency of \$37,462 is included to pay for related unexpected future construction events.

#### BACKGROUND

To remain in compliance with the September 22, 2014 Consent Decree, the City has implemented a mandated long-term Sanitary Sewer Capital Improvement Program (Program) to eliminate sanitary sewer overflows (SSOs) and reduce storm water infiltration and inflow into the sanitary sewer system. Through 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 sanitary sewer system. Ultimately, these actions will assist the East Bay Municipal Utility District (EBMUD) in achieving the Consent Decree goal of eliminating discharges from its Wet Weather Facilities by the end of 2035.

This is the fourth year of the twenty-two year Consent Decree requiring the City to inspect and assess sanitary sewer system condition at a minimum average annual rate of 79,200 feet (based upon a three fiscal year rolling average). Last year, the City inspected approximately 134,000 feet of pipe, and identified acute defects are scheduled for repair in FY 2018 with the Urgent Sewer Repair Project FY 2018.

#### ENVIRONMENTAL SUSTAINABILITY

Improvements to the City sanitary sewer system will protect water quality by reducing storm water infiltration and inflow into the City sanitary sewer system, and subsequently

reducing wet weather flows (primary treated effluent discharge) and frequency of SSOs that can negatively affect the San Francisco Bay.

RATIONALE FOR RECOMMENDATION

Contracted construction services are required for these large construction projects, as the City lacks the in-house expertise and equipment resources needed to complete scheduled sanitary sewer rehabilitation and replacement projects. The City must take timely action to address urgent or emergent sewer repairs without delay. Finally, the City is subject to potential fines and penalties under the Consent Decree if acute sanitary sewer defects are not repaired within one year of being identified.

ALTERNATIVE ACTIONS CONSIDERED

No reasonable alternative exists because the City sanitary sewer system is in poor condition and needs timely rehabilitation to prevent infiltration and inflow, future sanitary sewer leakages, and backup problems.

CONTACT PERSON

Andrew Brozyna, Deputy Director, Public Works (510) 981-6396  
Nisha Patel, Manager of Engineering, Public Works (510) 981-6406  
Kenneth Emeziem, Supervising Civil Engineer, Public Works (510) 981-6444

Attachments:

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

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

CONTRACT: MOSTO CONSTRUCTION FOR SANITARY SEWER REHABILITATION –  
URGENT SEWER REPAIR PROJECT FY 2018

WHEREAS, the Sanitary Sewer Project is part of the on-going City Sanitary Sewer Capital Improvement Program to 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 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 Project and other urgent or emergency sanitary sewer repairs; and

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

WHEREAS funds are available in the FY 2018 budget in Sanitary Sewer Fund 830, and the contract has been entered as CMS No. QLBTH.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specifications No. 18-11187-C for the Urgent Sewer Repair Project FY 2018 are approved.

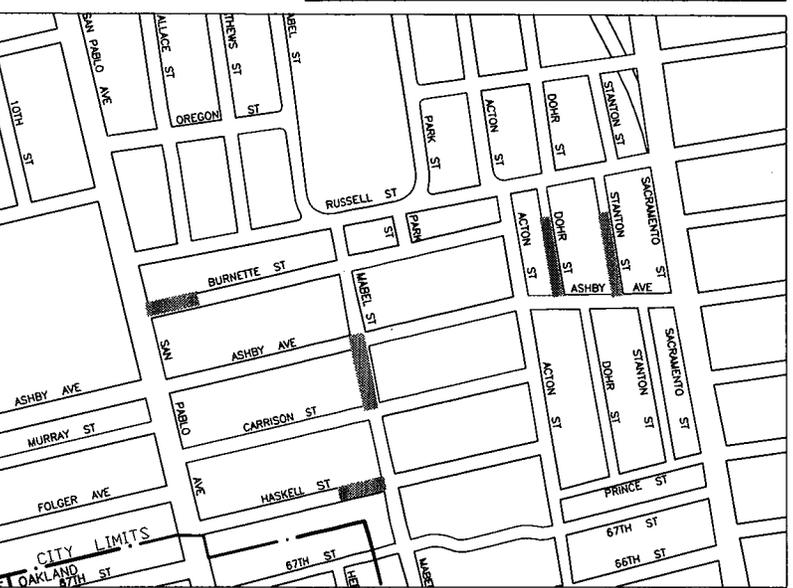
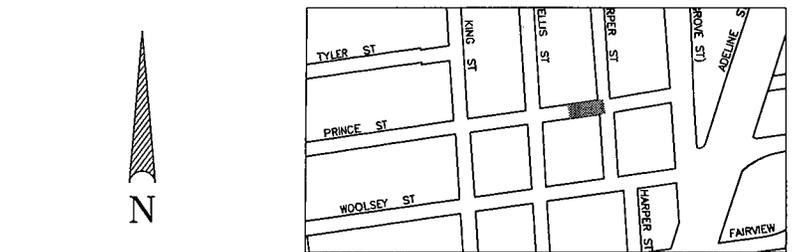
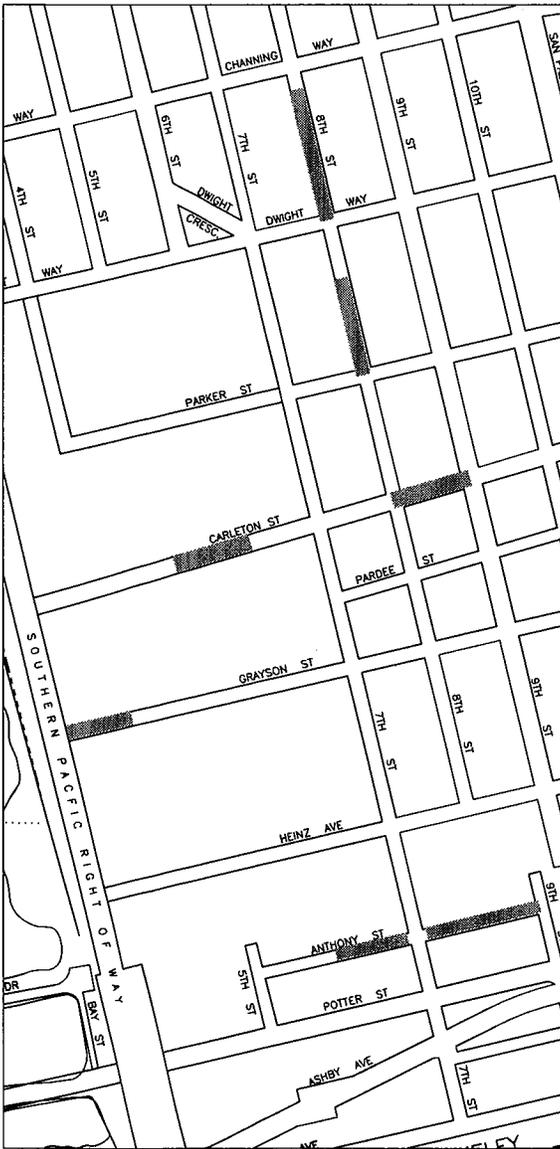
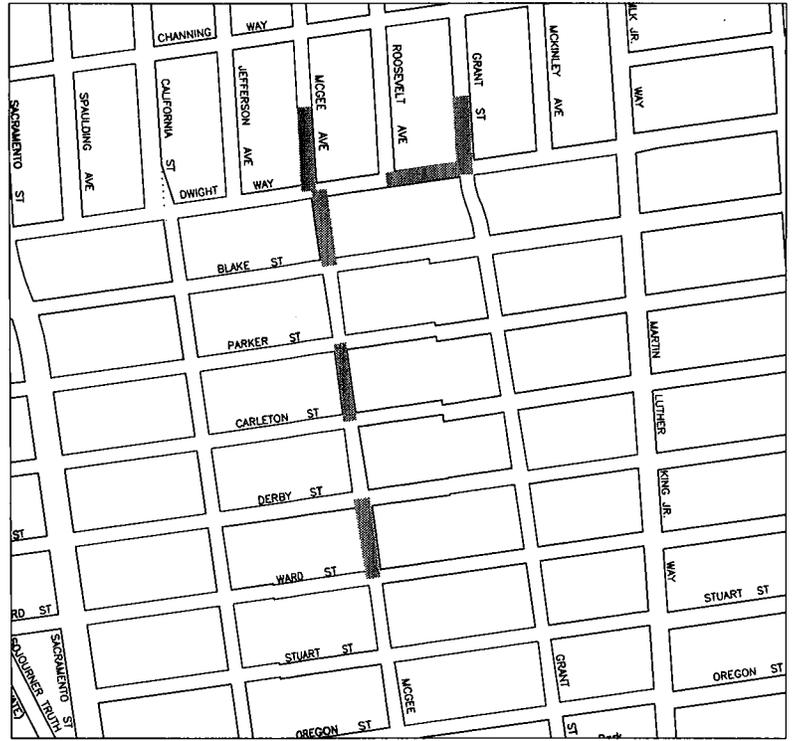
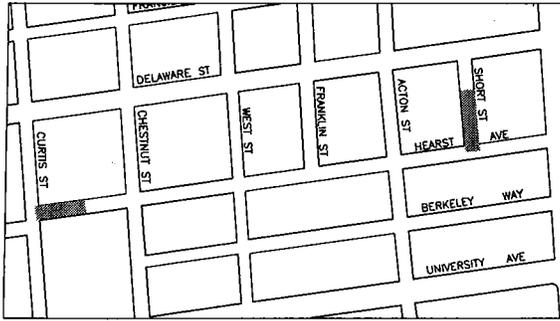
BE IT FURTHER RESOLVED that the Council authorizes the City Manager to execute a contract and any amendments, extensions, or change orders with Mosto until completion of the project in accordance with the approved specifications for the Urgent Sewer Repair Project FY 2018 at various locations throughout the City in an amount not to exceed \$412,078, 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.

# LOCATION MAP

## SANITARY SEWER REHABILITATION AND REPLACEMENT

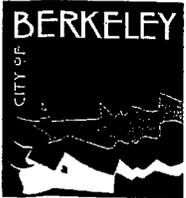
### URGENT SEWER REPAIR PROJECT FY 2018

#### SPECIFICATION NO. 18-11187-C



— CONSTRUCTION AREA

ATTACHMENT 2



ATTACHMENT 3

City of Berkeley  
Abstract of Bid Worksheet

Finance Department  
General Services Division

FOR: SANITARY SEWER REABILITATION URGENT SEWER REPAIR PROJECT FY 2018

Spec. # 18-1187-C

Bid Date: 1/4/18

AC

	Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addenda
1	MOSTO CONSTRUCTION	\$387,616.00	/	/	/	/	/	/	1/2
2	WESTLAND CONTRACTORS INC.	\$550,608.00	/	/	/	/	/	/	1/2
3	CZR ENGINEERING	\$411,488.00	/	/	/	/	/	/	1/2
4	CRATUS. INC.	\$577,224.00	/	/	/	/	/	/	1/2
5	GOLD WIND ENGINEERING	\$442,015.00	/	/	/	/	/	/	1/2
6	ANDES CONSTRUCTION INC.	\$425,405.00	/	/	/	/	/	/	1/2
7									
8									
9									
10									

Bid Recorder: [Signature] 1/4/18

Bid Opener: [Signature] 1/4/18

Project Manager: [Signature] 1/4/18

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