



Office of the City Manager

CONSENT CALENDAR
January 28, 2020

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: Agreement with the East Bay Municipal Utility District for Pavement Rehabilitation of Portions of Ellsworth Street and Stuart Street

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a cost sharing Agreement with the East Bay Municipal Utility District for the pavement rehabilitation on Ellsworth Street and Stuart Street during construction of the East Bay Municipal Utility District's Wildcat Pipeline Improvement Project in an amount not to exceed \$855,264 which includes a 20% contingency.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available from the planned FY 2021 Street Capital Improvement Program budget. No other funding is required, and no other projects will be delayed due to this expenditure.

The cost to the City of Berkeley (City) to pay for its portion of the pavement rehabilitation (Rehabilitation) on Ellsworth Street and Stuart Street is \$855,264 which includes a 20% contingency. This funding will be allocated from the Streets program baseline Capital Improvement Fund (501) budget in either FY 2021 or FY 2022 depending on the timing of the East Bay Municipal Utility District (EBMUD) pipeline project. Funding allocations will be subject to the City's annual appropriations process. Per the Agreement, payments will be made to EBMUD upon completion of the Rehabilitation and submittal of an approved invoice.

CURRENT SITUATION AND ITS EFFECTS

The alignment for the Wildcat Pipeline begins at Bancroft Avenue and follows Ellsworth Street to Stuart Street, then down Stuart Street to Benvenue Avenue, per the location map enclosed as Attachment A. This work will require trench excavation on both streets to install these utility improvements. Per the City's standard detail for trench resurfacing, the trench is required to be resurfaced for the width of the trench plus an additional one foot on either side. This will result in a linear patch of new pavement down the length of the alignment that is approximately eight feet

wide. Without approval of the attached resolution, the area beyond the trench pavement restoration would remain in its current condition.

Under the proposed cost sharing agreement, the City would pay EBMUD for restoration of the street pavement that is outside of the trench resurfacing area while EBMUD would fund the portion of the street within the trench resurfacing area. This arrangement allows for the full width rehabilitation of Ellsworth Street and Stuart Street, with an average pavement width of approximately 40'. This would help defray the costs of a future paving rehabilitation project, in lieu of just providing standard asphalt pavement restoration over the pipeline trench areas. The pavement restoration of these street sections is part of the City's pavement improvement program.

The pavement rehabilitation is planned to be completed by mid-spring 2021. This timeframe allows the City to budget for its portion of the costs included in the agreement. The cost sharing agreement between the parties completes pavement rehabilitation on approximately 5,400 linear feet of City streets.

All funds paid to EBMUD will go to the contractor as payment for bid prices and quantities used. The contractor will be required to submit statements of compliance and disclosure forms as if this were a City constructed project, such as Nuclear Free Zone, Oppressive States, Sanctuary City, etc. The contractor shall also be required to pay prevailing wages. EBMUD will not be retaining any of the funds for administrative purposes.

The pavement rehabilitation supports a Strategic Plan Priority Goal, by providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

EBMUD plans to construct a new 48" underground transmission pipeline (Wildcat Pipeline) in the City of Berkeley to improve the capacity of the existing Wildcat Aqueduct. The Wildcat Aqueduct is a critical transmission pipeline that serves 65,000 customers in Berkeley as well as customers in El Cerrito, Albany, Richmond, San Pablo, Pinole, Hercules, and Crockett. The new Wildcat Pipeline will improve reliability of water service to Berkeley residents.

ENVIRONMENTAL SUSTAINABILITY

Collaborating with EBMUD on the Wildcat Pipeline Project will support sustainable practices outlined by the City in its 2009 Climate Action Plan by conserving oil resources required for asphalt production, and reduce greenhouse gas emissions that result from trucks hauling rock and asphalt used to construct the roadway.

RATIONALE FOR RECOMMENDATION

This cost sharing agreement will advance the pavement restoration of Ellsworth and Stuart streets. In addition, combining the trench pavement restoration with restoration of the remaining width of the street minimizes duplicative paving efforts. It conserves staff, financial and material resources, and minimizes disruption to the public. Lastly, this approach will also provide for an aesthetically enhanced street free of trench lines resulting from operations to install the underground utility improvements.

ALTERNATIVE ACTIONS CONSIDERED

City Council may choose not to enter into the proposed agreement with EBMUD. However, if this action is taken then the City will be unable to capitalize on the benefits outlined above.

CONTACT PERSON

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Attachments:

1. Resolution
- 2: Site Map

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

AGREEMENT WITH THE EAST BAY MUNICIPAL UTILITY DISTRICT FOR
PAVEMENT REHABILITATION OF ELLSWORTH STREET AND STUART STREET

WHEREAS, the East Bay Municipal Utility District (EBMUD) plans to construct a new 48” underground transmission pipeline (Wildcat Pipeline) on segments of Ellsworth Street and Stuart Street in the City of Berkeley to improve reliability of water service to its customers; and

WHEREAS, Ellsworth Street and Stuart Street are both in need of pavement rehabilitation; and

WHEREAS, the construction of the Project necessitates repairs to the existing pavement in the area of Project trenching, including five-inch minimum depth by one-foot tee-cut pavement restoration over the trench area or resurfacing moratorium streets, in compliance with the excavation restoration requirements of the City of Berkeley Municipal Code, to be completed at the expense of EBMUD; and

WHEREAS, City desires that in lieu of providing the City’s standard asphalt pavement restoration in some locations, EBMUD provide additional pavement rehabilitation, in the form of two-inch to five-inch thick mill-and-resurfacing or slurry sealing, to extend beyond the trenching area, to be completed at the expense of City; and

WHEREAS, EBMUD has agreed to perform the additional rehabilitation of the pavement on Ellsworth Street and Stuart Street, as part of the Project, subject to payment from the City for that portion of the pavement outside the Project area; and

WHEREAS, City desires additional roadway work within the Project area, in the form of curb ramp rehabilitation and replacements, concrete sidewalk replacement, and new gutter installation, to be completed at the expense of City; and

WHEREAS, EBMUD has agreed to perform the additional roadway work on Ellsworth Street and Stuart Street as part of the Project, subject to payment from the City; and

WHEREAS, EBMUD and City see a public benefit in coordinating EBMUD’s Project asphalt pavement repair and the City’s planned pavement and roadway rehabilitation; and

WHEREAS, EBMUD and City have delineated the location and extent of the areas to be rehabilitated by Plans and have described the details of the work by Specification; and

WHEREAS, funding is available in the Capital Improvement Fund (501) in the FY 2021/2022 Streets CIP Budgets.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager and/or her designee is authorized to execute the Agreement and any amendments by and between the City of Berkeley and the East Bay Municipal Utility

District for Paving Work on Ellsworth Street and Stuart Street as part of the Wildcat Pipeline Project in an amount not to exceed \$855,264 which includes a 20% contingency.

ATTACHMENT 2

LOCATION MAP



█ — CONSTRUCTION AREA