

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda date: December 4, 2023

Reviewed by: NA

SUBJECT: San Pablo Avenue Pedestrian Improvements Project Phase I (CIP No. 24010) – Award of Contract No. C23-08 to GradeTech Inc. for Construction of the Project

REPORT BY: Allison Carrillo, CIP Program Manager
Devora Zauderer, Program Manager
Mark Hurley, Director of Public Works/City Engineer

SUMMARY

The issue before the Council is to award Contract No. C23-08 for construction of the San Pablo Avenue Pedestrian Improvements - Phase I to the lowest responsible bidder, GradeTech, Inc., and the associated contract amendments for Contract No. C22-32 with Zoon Engineering for construction management services and Contract No. C21-58 with BKF Engineers for as-needed engineering support services during construction.

STAFF RECOMMENDATION

That the Council adopt Resolution No 2023-76:

1. Authorizing the City Manager to execute Contract No. C23-08 with GradeTech, Inc. to construct the San Pablo Avenue Pedestrian Improvements - Phase I in a not-to-exceed amount of \$1,020,490.50; and
2. Authorizing the City Manager to execute Contract Amendment #1 for Contract No. C22-32 with Zoon Engineering, Inc. to provide construction management support for the San Pablo Avenue Pedestrian Improvements - Phase I, in the not-to-exceed amount of \$150,570.20; and
3. Authorizing the City Manager to execute Contract Amendment #2 for Contract No. C21-58 with BKF to provide engineering support services, as needed, in a not-to-exceed amount of \$62,800.00; and
4. Appropriating \$236,000 from Measure BB Local Streets & Roads (Fund 1201) funds and adjusting the project budget accordingly.

BACKGROUND

In 2016, the City began design of the San Pablo Avenue and Buchanan Street Complete Streets Project (CIP Project 24001) for pedestrian improvements crossing San Pablo Avenue between Brighton and Washington and on Buchanan Street. The project advanced to approximately 90% up through 2019 when it was subdivided into three phases for implementation due to funding constraints. This change is detailed in the City's Capital Improvement Plan, adopted in November 2020 (Resolution No. 2020-108), in the Status Report presented to the Council on May 2, 2022, and most recently in the Call for Bids staff report presented to Council on July 17, 2023.

As required by the conditions of the federal funding source and the location of work on Caltrans right-of-way (San Pablo Avenue, i.e., State Route 123), the City has partnered with Caltrans to review and approve construction funding supporting the Phase 1 portion of the project.

In late-2022, as the Phase 1 project designs were undergoing Caltrans encroachment permit approvals and federal funding authorization reviews, Alameda County Transportation Commission (Alameda CTC) informed City of Albany staff that Alameda CTC had obtained grant funding for design and construction of improvements at the intersection of Clay Street and San Pablo Avenue which conflicted with the geometry of intersection under the San Pablo Pedestrian Improvements Project.

In late June 2023, the Phase 1 project received federal Authorization to Proceed (E-76). E-76 authorization establishes the date in which Caltrans determines the City has met federal funding requirements for the project and the date after which federal fund expenditures are reimbursable. Furthermore, under the conditions of this funding source, the project must be awarded within six months of E-76.

On July 17, 2023, the City Council Authorized the City Manager to advertise the Notice Inviting Bids for the project. The Notice was twice advertised in the local newspaper, posted on the City website and distributed to several Bay Area builders' exchanges. A non-mandatory bidders' conference was held on October 5, 2023.

DISCUSSION

In September 2023, the City received formal confirmation that Alameda CTC would be performing pedestrian curb ramp and center median improvement at the Clay Street and San Pablo Avenue intersection under the Alameda CTC "San Pablo Avenue Safety Enhancements Project". Furthermore, Alameda CTC provided confirmation that the project was funded, in active design, had been presented for comments to Albany's City Council and Transportation Commission, and was scheduled for construction starting in Spring 2025. With this development, staff removed the proposed work at the Clay Street intersection from the San Pablo Pedestrian Improvements project. This change reduced the construction hard cost estimate by approximately \$190,000 for a revised cost estimate of \$1,050,000.00.

A total of nine (9) bids were received and opened on October 26, 2023. Bids are tabulated below and ordered from lowest to highest based on the Base Bid amount. The bid also included a bid alternate to set bid item costs in the event additional utility adjustments were necessary but this bid alternate was excluded from determination of low bidder.

Bidder	Base Bid
GradeTech Inc.	\$998,721.60
Redgwick Construction Co.	\$1,082,495.00
Kerex Engineering, Inc.	\$1,094,310.00
Ghilotti Bros., Inc	\$1,122,533.00
Sposeto Engineering, Inc.	\$1,153,983.00
FBD Vanguard Construction, Inc.	\$1,192,966.00
B&M Builders, Inc.	\$1,244,490.00
S&H Construction, Inc.	\$1,252,610.00
Ray's Electric	\$1,281,782.50

Public Works Department staff recommends that the project be awarded to the lowest responsive and responsible bidder, GradeTech, Inc., with a base bid of \$998,721.60 and bid alternate in the amount of \$21,768.90, for a combined contract total of \$1,020,490.50. Complete bid results are shown in Attachment 2.

The contractor is required to complete the project within 90 calendar days from commencement date and construction is anticipated to start in March 2024.

Additionally, for construction services, staff requested and received cost proposals for professional services in support of construction, including the following recommended for award at this council meeting:

- 1) Contract Amendment #1 to Contract No. C22-32 to add construction management services to the existing project management support contract with Zoon Engineering. This proposal was reviewed by staff and found to be appropriate for the work proposed. Zoon Engineering provided project management support for the San Pablo Avenue Pedestrian Improvements Project – Phase 1 including guiding the project through various processes specific to making improvements within Caltrans right-of-way and as required for the federal grant funding processes, including Caltrans field reviews, Caltrans Right-of-Way process for utility adjustments, federal funding authorization (E-76), and Caltrans encroachment permit. In addition to providing project management support services, Zoon Engineering is on the City’s on-call list of construction management firms, has demonstrated strong understanding of the City’s standards, and City staff receive positive feedback from the community on interactions with this vendor.

- 2) Contract Amendment #2 to Contract No. C21-58 with BKF Engineers for as-needed construction support during advertisement, bid, and construction. This proposal was reviewed by staff and found to be appropriate for the work proposed. BKF Engineers

provided the design and engineering documents for the project and has continued to provide engineering services, including in response to questions posed during Council review and for design adjustments requested by Council during Call for Bids. This amendment will extend the contract to ensure that engineering services covers those requests and continues to be available, as needed, during project construction.

ENVIRONMENTAL CLEARANCE:

The project is Categorically Exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301 “Existing Facilities” of the CEQA Guidelines, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets, sidewalks, and pedestrian crossings. As part of the federal-aid requirements, Caltrans has determined that this project is also a Categorical Exclusion under NEPA: 23 CFR 771.117(c): activity (c)(3).

SUSTAINABILITY CONSIDERATIONS

Implementation of pedestrian safety and accessibility improvements along San Pablo Avenue is designed to encourage walking and transit use along the corridor. The project involves the removal and replacement of existing asphalt concrete pavement, curbs, gutters, and installation of accessible curb ramps. Accessible curb ramps increase equitable access for users of differing mobility, and increased pedestrian usage reduces motorized travel, thus reducing greenhouse gas emissions.

FINANCIAL SUMMARY

Budget for the San Pablo Complete Streets Project (CIP No. 24001) was previously appropriated as part of the FY16-FY20 and FY18-FY22 Capital Improvement Plans. This project consisted of the area-wide planning and design effort and was funded by a Caltrans Active Transportation Program grant.

This planning and design-level project produced three distinct scopes for implementation, which have been developed into the San Pablo Pedestrian Improvements Projects, Phases I-III. Budget for the Phase I project was appropriated as part of the FY20-FY24 Capital Improvement Plan. Project No. 24010 was assigned to differentiate the Phase I construction project from the planning & design effort, as adjusted in the CIP Status Report presented to the Council on May 2, 2022. Project 24001 is now considered to be closed. Future phases of construction will be brought to the Council with new project numbers as needed.

The currently appropriated budget for the San Pablo Pedestrian Improvements Project – Phase I (CIP No. 24010) was adopted in November 2020 as per Resolution No. 2020-108. The updated costs of construction, additional services needed to navigate the federally funded project in Caltrans right-of-way as well as adjustments made to the project at the Council level, indicate that currently adopted budget is insufficient to deliver the project.

Funding Source	Current Budget
Measure B Local Streets & Roads (1101)	\$ 200,000
Measure BB Local Streets & Roads (1201)	\$ 800,000
Measure BB Bike & Ped (1202)	\$ 10,000
OBAG2 LSR Federal Grant Funds	\$ 340,000
Total Budget	\$ 1,350,000

The following are the projected costs for the overall project (rounded to the nearest dollar):

Project Expenditure	Cost
Professional Services – Design (BKF C21-58)	\$ 73,060
Project Management Support (Zoon C22-32)	\$ 90,960
Construction (GradeTech C23-08)	\$ 1,020,491
Construction Mgmt./Inspection (C22-32, Amd 1)	\$ 150,570
Construction Support (C21-58, Amd 2)	\$ 62,800
Materials Testing	\$ 15,000
Professional Services (Incl. ADA Consulting, Traffic Counts, Bid Services)	\$ 20,000
Construction Contingency (15%)	\$ 153,119
Total Expenditures	\$ 1,586,000

As mentioned previously, there exists a deficit between the estimated project expenditures and the appropriated budget. Staff recommends an additional appropriation of funds in the amount of \$236,000 from Alameda County Measure BB Local Streets & Roads (Fund 1201) to the project, and that the Council adjust the project budget accordingly.

Attachments:

1. Resolution No. 2023-76
2. Bid Results for Contract No. C23-08
3. Contract No. C23-08 – GradeTech, Inc.
4. Contract No. C22-32, Amendment # 1 – Zoon Engineering
5. Contract No. C21-58, Amendment # 2 – BKF Engineers