



DATE: May 21, 2024

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Awarding a Construction Contract to GSW Construction, Inc., for the Trash Capture Device Installation on Arf Avenue, Project No. 07746, in the amount of \$398,000 and a Contingency Budget of \$ 82,000 for a Total Contract Not-to-Exceed Amount of \$ 480,000

RECOMMENDATION

That the Council adopts the attached resolution (Attachment II) awarding the construction contract to GSW Construction, Inc., (GSW) for the Trash Capture Device Installation on Arf Avenue ("Project"), Project No. 07746, in the amount of \$ 398,000 and a contingency budget of \$82,000 for a total not-to-exceed (NTE) amount of \$480,000.

SUMMARY

The proposed project would install a continuous deflective separator (CDS) unit in the existing storm drainpipe on a parcel owned by Alameda County Flood Control District off Arf Avenue for trash capture from the storm water system. The Project will help the City meet the San Francisco Regional Water Quality Control Board (Water Board) mandate to remove 100% of trash from the stormwater system by July 1, 2025. The CDS unit creates a continuous swirl of stormwater to concentrate and separate trash and debris. This project will be funded by California Department of Transportation (Caltrans). The City and Caltrans entered into a cooperative agreement to complete trash capture projects for mutual trash reduction credits. The cooperative agreement was approved by Council on April 20, 2021¹. On April 1, 2024, staff released a call for sealed bids and received two (2) responsive bids. The lowest bid was submitted by GSW Construction, Inc. of San Francisco in the total amount of \$398,000.00. The second bid was submitted in the total amount of \$828,000 by W.R. Forde Associates, Inc., of Richmond, California. Staff is requesting Council's approval to award the construction contract to the lowest responsible bidder, GSW Construction, Inc.

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4916428&GUID=5A8A9657-693A-48B0-9D7F-7E207950AC98&Options=&Search=>

BACKGROUND

The Water Board adopted the current Municipal Regional Stormwater Permit (MRP 3.0) in July 2022. The MRP 3.0 covers storm water discharges from municipalities and local agencies in various Bay Area counties, including Alameda. The permit requires permittees to reduce trash from entering State waters by 100% by 2025 from each jurisdiction's Municipal Separate Storm Water Systems. As of September 2022, the City has achieved 85.8% credit for trash reduction. Likewise, Caltrans also has a mandate to eliminate trash from stormwater from its right-of-way (ROW). Throughout Caltrans ROW there are very few opportunities to install large trash capture devices due to space limitations for installations and direction of stormwater flows along freeways. CalTrans and several cities have looked into collaborative projects to install trash capture devices downstream of Caltrans ROW within City jurisdictions to capture trash in areas required to be treated for trash.

On April 20, 2021, Council authorized a cooperative implementation agreement whereby Caltrans agreed to fund the installation of two projects within Hayward: one on Arf Avenue and one on Tennyson Road. The Tennyson Road Trash Capture Device Installation was completed as of September 2024.

On March 26, 2024², Council adopted Resolution No. 24-055 approving the plans and specifications and a call for bids for the Project. In April 2024, staff received and evaluated two (2) bids. Staff is requesting Council's approval to award the construction contract to the lowest bidder GSW Construction, Inc. This contractor recently installed a similar stormwater trash capture device in Cotter Way and a sewer re-route project in Willimet Way. City staff found this contractor knowledgeable, efficient and cooperative. GSW has the contractor's license required for the Project and has satisfied the City's requirement for having completed at least one stormwater trash capture project in the last five years.

DISCUSSION

This Project will install a large trash capture device on Arf Avenue on existing stormwater pipes to treat stormwater to meet pollutant removal requirements of the Regional Water Quality Control Board issued MRP 3.0 for the City and similar requirements for the permit issued to Caltrans. The project improvements will capture trash from approximately 436 acres of storm water runoff area and provide approximately 3% trash reduction credit to the City. Caltrans has budgeted sufficient funds to pay for the Arf Avenue project.

Staff received and reviewed two (2) bid proposals. The engineer's estimate was \$ 710,000. The lowest responsible bidder was GSW with a total bid amount of \$398,000, which is below

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=6600270&GUID=79B1D9D0-A240-4DA2-BB1C-ABCDC7DBEFEC&Options=&Search=>

the Engineer's Estimate. The only other bid was submitted by W.R. Forde Associate, Inc., in the amount of \$828,000 which is above the Engineer's Estimate.

GSW Construction, Inc. was awarded the Willimet Way & I-880 Sanitary Sewer Main Installation Project No. 07717 on July 3, 2022 in the total amount of \$770,218. Completed project for this contract was accepted by the City on July 26, 2023. Administrative Contract Change Orders in the total amount of \$40,000 (5.2% of the contract award amount) were required for this project. GSW Construction, Inc. was also awarded another contract for the Trash Capture Device Installation on Cotter Way (project number 07675) on June 21, 2022. Work completed under this contract was accepted by the City on May 11, 2023. This project encountered high ground water conditions not anticipated earlier. The contractor was able to amend the project shoring and implement dewatering program to successfully complete the project without much delay. Administrative Change Orders in the total amount of \$52,000 were required for this contract.

City staff's observation is that GSW Construction is resourceful, efficient, well organized and easy to work with. GSW's president is confident that they will successfully complete Arf Street Trash Capture project as per their bid and the construction contract documents and there is no material mistake in their bid.

On November 15, 2016, Council passed a resolution authorizing a Community Workforce Agreement (CWA) with the Alameda County Building Trades Council (BTC), which applies to City projects with construction costs of \$1,000,000 or more. The agreement requires contractors to use local union hiring halls, encourages contractors to employ Hayward residents or Hayward Unified School District graduates, and requires hired workers to pay union dues and other benefit trust fund contributions, etc. Because the construction cost estimate for this project is less than \$1,000,000, the CWA agreement does not apply to this project.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 (Minor Alteration of Existing Facilities) and Section 15302, Class 2 (Replacement or Reconstruction of Existing Facilities) of the CEQA guidelines.

ECONOMIC IMPACT

This item has no direct economic impact.

FISCAL IMPACT

Per the Adopted FY 2024 CIP Budget, the Project has a total appropriated budget of \$3,000,000 in the Sewer Improvement Fund (Fund 612) to complete both Arf Avenue and Tennyson Road installations. This amount will be fully reimbursed by Caltrans and will have

no impact to Fund 612. The project budget is outlined below. This item has no impact on the General Fund.

Fund Sources:

<u>Sewer Improvement Fund (Fund 612)</u>	<u>\$3,000,000</u>
<i>CalTrans Reimbursement</i>	<i>\$3,000,000</i>

Sufficient fund balance is available in this budget account for the recommended contract award.

STRATEGIC ROADMAP

This item supports Council's strategic priority of Invest in Infrastructure. Specifically, this item relates to the implementation of the following project(s):

Project N22: Meet regulatory requirements for zero trash in stormwater by installing trash capture devices.

SUSTAINABILITY FEATURES

The CDS units, along with the existing trash capture devices in the City's storm drain system will help limit the pollutants that enter local creeks and the San Francisco Bay.

PUBLIC CONTACT

The call for bids was publicized on the City's website in April, 2024. Prior to and during construction, notices will be provided to affected residents, property, and business owners to inform them of the nature and purpose of the work, potential impacts, work schedule, and City contacts for additional information. Staff will work closely with residents and businesses close to the project site to minimize potential impacts.

NEXT STEPS

If Council approves this request, the City Manager will execute the awarded construction contract with GSW Construction, Inc., for a total contract not-to-exceed amount of \$398,000.

The project construction schedule is outlined below:

Received Bids	April 2024
Award Construction Contract	May 21, 2024
Notice to Proceed	July 1, 2024
Construction Completion	September 30, 2024

Prepared by: Elisa Wilfong, Water Pollution Control Administrator
Saeed Saebi, Senior Civil Engineer
Erik Pearson, Environmental Services Manager
Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:

A handwritten signature in blue ink, appearing to be 'Dustin Claussen', with a stylized, cursive script.

Dustin Claussen, Interim City Manager