



**DATE:** May 16, 2023

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT** Adopt a Resolution Approving Plans and Specifications and Calling for Bids for the FY23 Sidewalk Rehabilitation and Wheelchair Ramp Project, Project No. 05303

### **RECOMMENDATION**

That Council adopts a resolution (Attachment II) approving the plans and specifications for the FY23 Sidewalk Rehabilitation and Wheelchair Ramps Project No. 05303 and calling for bids to be received on July 18, 2023.

### **SUMMARY**

This Project is a continuation of the City's Annual Sidewalk Repair Program (Program) that began in 2001. The City is currently divided into ten districts for the purpose of the Program (Attachment V). Two districts, 6 and 9, will be the focus of this year's program to address continuous repair and improvement needs. Attachment III depicts the repair locations in the districts covered in this year's project.

The project budget is \$1,900,000 and is included in the FY23 Capital Improvement Program (CIP). The Project includes 260 locations for sidewalk repair and installation of approximately 30 wheelchair ramps. The proposed improvements will repair damaged sections of sidewalks and increase pedestrian mobility. On November 15, 2016, Council adopted 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 construction cost estimate for this project is more than \$1,000,000, therefore the CWA agreement applies to this project.

### **BACKGROUND**

When the Program was initiated, the City was divided into ten districts to facilitate the selection of sidewalk areas for repairs during each year of a ten-year cycle. For the past several years, two districts per year have been included in the program. This year, the work will be performed in Districts 6 and 9.

The Program for the repair of damaged concrete sidewalks consists of two components, each performed under separate construction contracts. City staff conducts a sidewalk survey annually to identify the number and location of sidewalk repairs. The first contract, removes tripping hazards from sidewalk displacements or offsets up to 1<sup>3</sup>/<sub>4</sub> inches. These hazards will be removed by saw cutting or grinding each uplifted sidewalk panel across the width of the sidewalk to produce a smooth and uniform surface that meets the Americans with Disabilities Act (ADA) slope requirements. Grinding or saw cutting up to 1<sup>3</sup>/<sub>4</sub>" from a short segment of the typical 4" sidewalk section is less expensive and more cost effective than the removal and replacement of an entire sidewalk section.

The second component of the Program, which is the subject of this report, removes and replaces, with new concrete, all sidewalk displacements exceeding 1<sup>3</sup>/<sub>4</sub> inches.

## **DISCUSSION**

This year's Project will repair damaged sidewalks in the Tennyson Road South Area (District 6) and the Winton Grove Thelma Area (District 9) (Attachment III). The project includes repair of approximately 12,000 square feet of damaged sidewalk and curb and gutters plus the installation of 30 new or upgraded wheelchair ramps in various locations, tree trimming and root pruning of existing trees to prevent further displacement of sidewalks, and planting of new trees. As part of the project, the contractor will retain an arborist to examine the condition of existing trees and inspect all root-pruning work. Based on the preliminary inspection, staff anticipates removing 28 trees and planting 91 new trees in various locations. New trees will be planted where street trees are absent, where an existing tree must be removed because of disease or it is in danger of falling, where a need for extensive root pruning may kill the tree, or where a more suitable tree species will minimize future maintenance efforts. Thirty new wheelchair ramps will also be installed or upgraded to bring wheelchair ramps into compliance with current ADA standards (Attachment IV).

Pursuant to Section 5610 of the California Street and Highway Code, property owners are responsible for repairing damaged sidewalks in front of their properties. Under the City's program, property owners with damaged sidewalks are given the choice of completing the work themselves or having the repairs undertaken by the City's contractor for a nominal fee of \$550 per property.

In order to repair all sidewalks within the City, commercial and investment property owners are given the option to fix damaged sidewalks fronting their property themselves or reimburse the City for repairs. Property owners of commercial and investment properties, who opt to have the City perform repairs, shall be charged for the exact square footage of the damaged sidewalk repair at the actual Construction Contract bid price.

This project is categorically exempt under the California Environmental Quality Act, Section 15301(c) that covers the operation, repair, maintenance, or minor alteration of

existing streets, sidewalks, and gutters.

On November 15, 2016, Council adopted 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. The construction cost estimate for this project is more than \$1,000,000, therefore the CWA agreement applies to this project.

### **ECONOMIC IMPACT**

This project will have a positive economic impact on the community as it provides safer and more accessible sidewalks and ramps for pedestrians. Dividing the City into 10 districts allows staff to select and recommend districts to ensure equitable distribution of this service to all City residents and businesses.

### **FISCAL IMPACT**

The adopted FY23 CIP includes \$1,900,000 for the Project in the Street System Improvements Fund (Fund 450). Reimbursement from property owners for the sidewalk rehabilitation is estimated to be approximately \$290,000.

The estimated project costs are as follows:

Contract Construction	\$1,450,000
Trip Hazard Removal (under a separate contract)	\$60,000
Design and Administration	\$120,000
Construction Survey, Inspection, and Testing	\$120,000
Administrative Change Order (ACO)	\$150,000
<b>TOTAL</b>	<b>\$1,900,000</b>

### **STRATEGIC ROADMAP**

This agenda item is a routine operational item and does not relate to any of the six priorities outlined in the Council's Strategic Roadmap.

### **SUSTAINABILITY FEATURES**

This project requires that all material generated during construction and demolition be sent to designated facilities for recycling. Recycled Portland Cement Concrete will be required for use as aggregate base for the concrete curb, gutter, and sidewalk. The improvements made to the sidewalks will encourage the public to walk more as opposed to driving their vehicles. This reduces both carbon emissions and carbon footprints, which is beneficial for the environment.

## **PUBLIC CONTACT**

Owners of the affected properties will receive certified letters regarding the program along with a response form to return to the City indicating their choice to complete the repairs themselves or pay the \$550 fee for a single-family home or actual repair cost for the commercial and investment properties to have the City complete the work. Property owners have the option of paying the fee in one lump sum or in twelve monthly payments. The response form also includes a list of trees that an owner can choose from for a replacement tree. Before construction commences, a second notice will be sent to all property owners who did not respond to the first notice to assure they are aware of the program.

## **NEXT STEPS**

If Council approves the plans, staff will release the calls for bids. The estimated schedule for this project is as follows:

Receive Bids	July 18, 2023
Award Contract	August 15, 2023
Begin Construction	September 5, 2023
Complete Construction	January 5, 2024

*Prepared by:* Mir Ali, Assistant Civil Engineer  
Kathy Garcia, Deputy Director of Public Works

*Recommended by:* Alex Ameri, Director of Public Works

Approved by:



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Kelly McAdoo, City Manager