



**DATE:** June 27, 2023

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt a Resolution Awarding a Construction Contract to Bear Construction, Inc., for the FY23 Median Landscape Improvement - Phase 2 Project, Project No. 05281 in the Amount of \$852,600, Approving Addendum No. 1, 2 and 3, and Authorizing a Construction Contingency Change Order Budget of \$155,000

## **RECOMMENDATION**

That Council adopts a resolution (Attachment II) awarding the construction contract to Bear Construction, Inc., (Bear Construction) in the amount of \$852,600 for the FY23 Median Landscape Improvement – Phase 2 Project No. 05281, approving Addendum No. 1, 2 and 3 providing clarification to bidders’ questions and authorizing a construction contingency change order budget of \$155,000.

## **SUMMARY**

On June 20, 2023, two (2) bids were received for the FY23 Median Landscape Improvement – Phase 2 Project. Bear Construction of Hayward, CA submitted the low bid in the amount of \$852,600, which is 7.6% lower than the Engineer’s Estimate of \$922,700. Marina Landscape, Inc., submitted the second lowest bid in the amount of \$874,875 which is 5.2% lower than the Engineer’s Estimate. This project is categorically exempt from environmental review under Section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

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. This 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 the FY23 Median Landscape Improvement – Phase 2 Project is less than \$1,000,000, the CWA agreement does not apply to this project.

## **BACKGROUND**

The FY23 Median Landscape Improvement – Phase 2 Project is the seventh project recommended from the Master Plan for Landscape and Irrigation Improvement of Key Corridors. This project is on Hesperian Boulevard from West “A” Street to Sueirro Street and Phillips Way to West Winton Avenue, a total of 1,842 linear feet. The first project improved the roundabout in the Fairway Park neighborhood. The second through the sixth projects improved the landscape medians along Industrial Parkway West, from Ruus Road to Mission Boulevard and Hesperian Boulevard to I-880 on Industrial Boulevard, from Clawiter Road to 659 Feet South of Depot Road on West Winton Avenue, from Southland Drive to Southland Place, and on a portion of Hesperian Boulevard from Chabot Court to West “A” Street.

## **DISCUSSION**

On June 20, 2023, two (2) bids were received for the FY23 Median Landscape Improvement – Phase 2 Project. Bear Construction of Hayward, CA submitted the low bid in the amount of \$852,600, which is 7.6% lower than the Engineer’s Estimate of \$922,700. Marina Landscape, Inc., submitted the second lowest bid in the amount of \$874,875 which is 5.2% lower than the Engineer’s Estimate. The bids ranged from \$852,600 to \$874,875.

Staff verified that all bid documents and licenses are in order. Staff recommends awarding the construction contract to the low bidder Bear Construction in the amount of \$852,600.

The project conforms to Bay Friendly (ReScape Rated) landscape that provides a clear and quantifiable path to regenerate landscape practices and Water Efficient Landscape Ordinance.

This project is categorically exempt from environmental review under Section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

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## **ECONOMIC IMPACT**

Replacing and improving median landscaping increases safety, enhances the visual appearance of the medians, increases weed control, and reduces the amount of irrigation required. The additional curb improvements increase the longevity of these enhancements resulting in cost savings over time.

## **FISCAL IMPACT**

The estimated project costs are as follows:

Construction Contract	\$852,600
Construction Contingencies	155,000
Planting and Irrigation Landscaping – City Staff	50,000
Design and Administration	50,500
Construction Survey, Inspection and Testing	50,500
<b>TOTAL</b>	<b>\$1,158,600</b>

The Adopted FY23 Capital Improvement Program (CIP) includes \$1,696,000 for the FY23 Median Landscape Improvement - Phase 2 Project in the Street System Improvements – Fund 450.

## **STRATEGIC ROADMAP**

This agenda item supports the Strategic Priorities to Confront Climate Crisis & Champion Environmental Justice. Specifically, this item relates to the implementation of the following project:

Reduce greenhouse gases and dependency on fossil fuels

Project C6: Plant 1,000 trees annually (500 trees per year by City staff; 500 additional trees, by other partners (HARD, CSU, Chabot, and private developers))

## **SUSTAINABILITY FEATURES**

This project includes the installation of drought tolerant plants to reduce the amount of water usage including installation of a new irrigation system and controller. The project will implement Bay Friendly (ReScape Rated) landscape rating system process for creating healthy, drought-tolerant and environmentally sound landscape techniques to use native and climate appropriate plants for median islands. All material generated during construction and demolition will be sent to designated facilities for recycling.

This project is anticipated to add forty-two trees.

## **PUBLIC CONTACT**

Because of the temporary inconvenience that is expected to be caused by the work in the median, immediately after the construction contract is awarded, a preliminary notice explaining the project will be distributed to the businesses and residences along the frontage road adjacent to the limits of work. After the construction work has been scheduled, businesses will be notified at least seventy-two hours prior to commencement of work.

**NEXT STEPS**

Begin Construction  
Complete Construction

July 31, 2023  
October 2023

*Prepared by:* Hector Leuterio, 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