



**DATE:** November 13, 2018

**TO:** Mayor and City Council

**FROM:** Interim Director of Public Works

**SUBJECT:** Sidewalk Rehabilitation and Wheelchair Ramps FY19, Project Nos. 05249 and 05213 - Districts 4, 6 and 9: Award of Construction Contract to Spencon Construction, Inc.

## **RECOMMENDATION**

That Council adopts the attached resolution (Attachment II):

1. Awarding the construction contract to Spencon Construction, Inc., (Spencon) in the amount of \$322,630 for the Sidewalk Rehabilitation and Wheelchair Ramps FY19; and
2. Allocating \$337,370 for the Administrative Change Order, for sidewalk District 5 to be included as part of this repair.

## **SUMMARY**

The Sidewalk Repair Program, which began in 2001, will continue this year to meet ongoing repair needs of four districts. The districts include Shafer Park Area (District 4), Tennyson Road South Area (District 6), Winton Grove Area (District 9), and Fairway Park Rancho Verde (District 5). Notification will be sent to all affected property owners, who will have the option to repair the sidewalk themselves or opt into the program provided by the City with a shared cost of \$550. Additionally, approximately twenty-one new wheelchair ramps will be installed in various areas throughout the City.

The project budget is \$1,102,000. Funding will be provided from the Street System Improvement Fund of the Capital Improvement Program (CIP) in the amount of \$960,000, and an additional \$142,000 from the Transportation Development Act. An additional \$90,000 in revenue from property owner participation is anticipated and will be deposited into the CIP fund for upcoming sidewalk projects.

## **BACKGROUND**

The Sidewalk Rehabilitation Program for the repair of damaged concrete sidewalks consists of two components: (1) the removal of tripping hazards from sidewalk displacements and (2) offsets that are less than 1¾ inches. These hazards are removed by saw cutting or grinding the uplifted panel across the width of the sidewalk to produce a smooth and uniform surface that meets Americans with Disabilities Act (ADA) slope requirements. The trip hazard removal is performed under a separate purchase order contract. Under that contract, the contractor submits a report to the City identifying the locations of sidewalk offsets that are larger than 1¾ inches and cannot be repaired by saw cutting or grinding.

The second component of the Sidewalk Rehabilitation Program removes all sidewalk displacements exceeding 1¾ inches and replaces them with new concrete. Pursuant to Section 5610 of the California Street and Highway code, sidewalk repair is the responsibility of the property owners. Property owners may choose to complete the work themselves, or have the repairs completed by the City's contractor with the payment of a flat fee of \$550 per single family property.

The Sidewalk Rehabilitation Program FY19 will repair damaged sidewalks in the Schafer Park Area District 4, Tennyson Road South Area District 6, and Winton Grove Area District 9, (see Attachment III and IV for project location maps). The project also includes the installation and upgrading of handicap access ramps, repair of offset or raised concrete curb and gutter, tree trimming, root pruning of existing trees, and planting of new trees. As part of the project, the contractor will retain an arborist to examine conditions of existing trees and inspect the root pruning work. Based on the preliminary inspection, staff anticipates removing seventeen trees and planting forty-three trees in various locations. New trees will be planted where street trees are absent or where an existing tree must be removed because of disease or imminent danger of falling. Approximately two-hundred locations of damaged sidewalks comprising a total of 13,000 square feet, or 1.2% of total sidewalk in the City, will be repaired with this project. Approximately twenty-one wheelchair ramps will be installed to meet ADA compliance standards.

## **DISCUSSION**

On October 16, 2018, ten bids were received for the FY2019 Sidewalk Rehabilitation Project. Spencon, of Danville, submitted the low bid in the amount of \$322,630 which is 51% lower than the Engineer's Estimate of \$660,000. Golden Bay Construction of Hayward submitted the second lowest bid in the amount of \$381,516, which is 42% lower than the Engineer's Estimate. The bids ranged from \$322,630 to \$883,980. The low bid received provides an opportunity to increase the administrative change order to repair sidewalks and ramps in District 5.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder Spencon, in the amount of \$322,630.

On November 15, 2016, Council passed a resolution authorizing a Community Workforce Agreement (CWA) with the Alameda County Building Trades Council (BTC), which applied 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. Because the construction cost estimate for the Sidewalk and Wheelchair Ramp Repair Project is less than \$1,000,000, the CWA agreement does not apply to this project.

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.

### **ECONOMIC IMPACT**

There is no quantifiable economic impact associated with this action.

### **FISCAL IMPACT**

The estimated project costs are as follows:

Construction Contract	\$322,630
Administrative Change Orders	\$337,370
Trip Hazard Removal (completed under separate contract)	\$200,000
Design and Administration	\$85,000
Construction Survey, Inspection and Testing	<u>\$157,000</u>
Total	<u>\$1,102,000</u>

The adopted FY 2019 CIP includes \$960,000 for the Sidewalk Rehabilitation Project in the Street System Improvements Fund (Fund 450). The adopted FY 2019 CIP also includes \$142,000 in the Gas Tax Fund (Fund 210) for the construction of wheelchair ramps. The total amount for the two projects is \$1,102,000. Reimbursement from property owners for the sidewalk rehabilitation is estimated to be approximately \$90,000. Transportation Development Act funds will be used to offset the increase of \$142,000 of the wheelchair ramps installation work.

### **STRATEGIC INITIATIVES**

This agenda item supports the Complete Streets Initiative. The purpose of the Complete Streets Strategic Initiative is to build streets that are safe, comfortable, and convenient for travel for everyone, regardless of age or ability, including motorists, pedestrians, bicyclists, and public transportation riders. This item supports the following goals and objectives:

Goal 1: Prioritize safety for all modes of travel.

Goal 2: Provide Complete Streets that balance the diverse needs of users of the public right-of-way.

Objective 1: Increase walking, biking, transit usage, carpooling, and other sustainable modes of transportation by designing and retrofitting streets to accommodate all modes.

## **SUSTAINABILITY FEATURES**

The City's Sidewalk Rehabilitation Project uses innovative, new processes that recycle concrete materials on-site for the base and minimizes the need for exporting virgin material, which reduces greenhouse gas emissions associated with exporting to a recycling center and concrete plant.

All excess material generated during construction and demolition will be sent to designated facilities for recycling. Recycled Portland cement concrete is specified for use as an aggregate base for any new concrete curb, gutter, ramps, and sidewalk. Improvements made to sidewalks will encourage the public to walk more as opposed to driving their vehicles. This reduces carbon emissions which benefits our environment.

## **PUBLIC CONTACT**

Owners of the affected properties have received certified letters regarding the program, along with a response form to return to the City indicating if they will make the repairs themselves or pay the \$550 fee to have the City complete the work. On the response form, property owners are given two payment choices: a \$550 lump sum payment or an installment plan of twelve-monthly payments. The response form also includes replacement tree options.

## **NEXT STEPS**

Commencement of Work	December 17, 2018
Completion of Work	March 11, 2019

*Prepared by:* Kathy Garcia, Deputy Director of Public Works

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

Approved by:



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Kelly McAdoo, City Manager