



DATE: March 7, 2023

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Approving Addendum No. 1, Awarding a Construction Contract to Bear Construction, Inc., for the FY23 Median Landscape Improvement – Phase 1, Project No. 05281 in the Amount of \$935,620, and Authorizing a Construction Contingency Change Order Budget of \$189,380, for a Not-to-Exceed Contract Amount of \$1,125,000

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving Addendum No. 1 providing clarification to bidder questions and awarding the construction contract to Bear Construction, Inc., (Bear Construction) in the amount of \$935,620 for the FY23 Median Landscape Improvement – Phase 1 Project 05281, and authorizing a construction contingency change order budget of \$189,380 for a total not-to-exceed (NTE) contract amount of \$1,125,000.

SUMMARY

On February 14, 2023, six bids were received for the FY23 Median Landscape Improvement – Phase 1 Project. Bear Construction, a local contractor of Hayward CA, submitted the low bid in the amount of \$935,620, which is 3.6% lower than the Engineer’s Estimate of \$970,401. Cato’s General Engineering, Inc., another local contractor of Hayward CA, submitted the second lowest bid in the amount of \$964,394, which is 0.6% lower than the Engineer’s Estimate. Kerex Engineering, Inc., of Martinez CA submitted, the third bid in the amount of \$999,170, which is 3.0% higher 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.

BACKGROUND

The FY23 Median Landscape Improvement – Phase 1 Project along Hesperian Boulevard from Sueirro Street to Philipps Way is the continuation of the seventh project from the Master Plan for Landscape and Irrigation Improvement for key corridors that was

developed and to be implemented in an effort to improve the corridors throughout the City. The first project improved the roundabout in the Fairway Park neighborhood. The second through the sixth improved the landscape medians along: Industrial Parkway West, from Ruus Road to Mission Boulevard; on West Winton Avenue, from Southland Drive to Southland Place; on Industrial Boulevard, from Clawiter Road to 659 feet South of Depot Road; on Industrial Parkway West, from Hesperian Boulevard to I-880; and a portion of Hesperian Boulevard from Chabot Court to La Playa Drive and continuing on Hesperian Boulevard from La Playa Drive to W Winton Avenue.

DISCUSSION

On February 14, 2023, six bids were received. Bear Construction Inc., a local contractor of Hayward CA, submitted the low bid in the amount of \$935,620, which is 3.6% lower than the Engineer's Estimate of \$970,401. Cato's General Engineering, Inc., another local contractor of Hayward CA submitted the second lowest bid in the amount of \$964,394, which is 0.6% lower than the Engineer's Estimate. Kerex Engineering, Inc. submitted the third bid in the amount of \$999,170, which is 3.0% higher than the Engineer's Estimate. The bids ranged from \$935,620 to \$1,267,497.

Staff verified that all bid documents and licenses are in order. Staff recommends the award of the construction contract to the low bidder Bear Construction in the amount of \$935,620.

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. 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 Project 05315 is less than \$1,000,000, the CWA agreement does not apply to this project.

The 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.

The project conforms to Bay-Friendly landscape practices and complies with the City's Bay-Friendly Landscape and Water Efficient Landscape Ordinance.

ECONOMIC IMPACTS

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	\$935,620
Construction Contingencies	189,380
Planting and Irrigation Landscaping – City Staff	50,000
Design and Administration	50,000
Construction Survey, Inspection and Testing	50,000
TOTAL	\$1,275,000

The Adopted FY23 Capital Improvement Program (CIP) includes \$1,696,000 for the FY23 Median Landscape Improvement 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 green house 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 techniques to use native and climate appropriate plants for median islands. All material generated during construction and demolition be sent to designated facilities for recycling.

This project is anticipated to add eighty-one trees.

PUBLIC CONTACT

Because of the temporary inconvenience that is expected to be caused by the work in the center median, immediately after the construction contract is awarded, a preliminary notice explaining the project will be distributed to the businesses adjacent to the limit 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	March 20, 2023
Complete Construction	May 22, 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:



Kelly McAdoo, City Manager