



DATE: June 21, 2022

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Awarding the Construction Contract to Rosas Brothers Construction, Inc., for the FY22 Sidewalk Rehabilitation and Wheelchair Ramps Project No. 05318 in an Amount Not-to-Exceed \$752,392

RECOMMENDATION

That Council adopts a resolution (Attachment II) awarding the construction contract to Rosas Brothers Construction, Inc., (Rosas) for the FY22 Sidewalks Rehabilitation and Wheelchair Ramps Project No. 05318 in an amount not-to-exceed \$752,392.

SUMMARY

On May 24, 2022, the City received five (5) bids for the project ranging from \$752,392 to \$1,101,786. Rosas Brothers Construction, Inc. of Oakland, submitted the lowest bid of \$752,392, which is 4.5% higher than the Engineer's Estimate of \$720,000. Spencon Construction, Inc., of San Ramon submitted the second lowest bid in the amount of \$753,657 which is 4.7% higher than the Engineer's Estimate. Staff is recommending that a construction contract be awarded to Rosas Brothers Construction, Inc. in the amount of \$752,392.

BACKGROUND

This project is a continuation of the City's Annual Sidewalk Rehabilitation Program for the repair of damaged concrete sidewalks that began in 2001. To facilitate the selection of sidewalk areas for repair, the City was divided into ten sidewalk repair districts (Attachment III). In 2001, funding was only available for rehabilitation in two districts per year. The FY 2022 Sidewalk Rehabilitation Program will be able to repair damaged sidewalks in District 2 (Orchard Hayward Hills Area) and District 3 (Huntwood Tyrrell Area). Attachment IV depicts the districts covered in this year's project. Staff conducted a sidewalk survey in these districts to identify the number and location of sidewalks in need of repairs.

The Sidewalk Rehabilitation Program consists of two components, each performed under a separate construction contract. The first contract, which will start in August, will remove tripping hazards from sidewalk displacements or offsets up to 1¾ 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 Americans with Disabilities Act (ADA) slope requirements. Grinding or saw cutting up to 1¾ inches from a short segment of the typical 4" thick sidewalk section is less expensive and more cost effective than the removal and replacement of an entire sidewalk section.

The second component of the Sidewalk Rehabilitation Program, which is the subject of this report, removes and replaces, with new concrete, all sidewalk displacements exceeding 1¾ inches. In addition, it includes the repair of offset or raised concrete curb and gutter, tree trimming, root pruning of existing trees, and planting of new trees. In order to minimize damage to City Street trees and evaluate the health of any trees that may be impacted by the project, the contractor is required to retain an arborist to examine each street tree adjacent to the work and inspect any root pruning that is part of the project.

DISCUSSION

Based on the sidewalk survey, approximately 137 separate locations of damaged sidewalks, comprising a total of 13,000 square feet or 5% of total sidewalks in the City, will be repaired with this project and installation of approximately 76 wheelchair ramps. The proposed improvements will repair damaged sections of sidewalks and increase pedestrian mobility. Staff anticipates removing twelve trees and planting twenty-four 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 because it is in imminent danger of falling.

On May 24, 2022, five (5) bids were received. The bids ranged from \$752,392 to \$1,101,786. Rosas Brothers Construction, Inc. of Oakland submitted the lowest bid of \$752,392, which is 4.5% higher than the Engineer's Estimate of \$720,000.

All bid documents and licenses are in order. Staff recommends award of a construction contract to the lowest responsive bidder, Rosas Brothers Construction Inc. of Oakland, in the amount of \$752,392.

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, etc. Because the construction cost estimate for the FY 2022 Sidewalk Rehabilitation Project is less than \$1,000,000, the CWA agreement does not apply to this project.

This project is categorically exempt for environmental review 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

The project will have a positive 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 FY 2022 Capital Improvement Program (CIP) includes \$1,050,000 for the Sidewalk Rehabilitation Project in the Street System Improvements Fund (Fund 450). Reimbursement from property owners for the sidewalk rehabilitation is estimated to be approximately \$150,000.

The estimated project costs are as follows:

Construction Contract	\$752,392
Trip Hazard Removal (under a separate contract)	50,000
Design and Administration	50,000
Construction Survey, Inspection, and Testing	122,608
TOTAL	\$975,000

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 have received 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 single-family homes or actual repair costs for 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

The estimated schedule for this project is as follows:

Begin Construction

July 25, 2022

Complete Construction

October 26, 2022

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

Recommended by: Alex Ameri, Director of Public works

Approved by:



Kelly McAdoo, City Manager