



DATE: February 7, 2023

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt Resolutions (1) Authorizing the City Manager to Execute the Amendment to the Project Funding Agreement with Alameda County Transportation Commission and Accept and Appropriate an Additional \$1,662,000 and (2) Approving Plans and Specifications and Call for Bids for the Re-Bid of the Mission Boulevard Corridor Improvements Phase 3 Project, No. 05287

RECOMMENDATION

That Council adopts the attached resolutions (Attachments II and III) to:

1. Authorize the City Manager to execute the amendment to the Project Funding Agreement (PFA) with Alameda County Transportation Commission (ACTC) and accept and appropriate \$1,662,000 in Measure BB grant funds; and
2. Approve the plans and specifications for re-bidding of the Mission Boulevard Corridor Improvements Phase 3 Project and calls for bids to be received on March 14, 2023.

SUMMARY

Construction of Phase 1 of the Mission Boulevard Corridor Improvement Project from A Street to Industrial Parkway and Foothill Boulevard from Mission Boulevard to Apple Avenue was completed in January 2014. Construction of Phase 2 of the project from Industrial Parkway to the south City limit at Blanche Street was completed in March 2021. Phase 3 of the project, from A Street to the north City limit at Rose Street is the last phase of the project to be constructed. On March 5, 2021, the Phase 3 project was advertised for construction bids; however, due to high bids received, all bids were rejected. The plans and specifications were revised to incorporate bidder questions and to include bid alternatives. Staff is requesting that Council authorize calling for construction bids to be received on March 14, 2023.

BACKGROUND

Below is a list of major milestones for the Mission Boulevard Corridor Improvement project:

- November 2007: Council approved Phase 1 of the Route 238 Corridor Improvement Project, which covered roadway and street improvements on Mission Boulevard (from A Street to Industrial Parkway) and Foothill Boulevard (from Mission Boulevard to Apple Avenue) and certified the Final Environmental Impact Report (FEIR) for the project.

Subsequently, Caltrans relinquished portions of State Routes 92, 185 and 238 to the City within the Phase 1 project limits.

- May 2010: Local Area Transportation Improvement Program (LATIP) funds totaling \$30M were approved by the California Transportation Commission (CTC) for use on the project.
- August 2010: Construction of the Phase 1 project began.
- August 2013: CTC allocated \$8.1M of the total \$30M for the Route 238 Phase 1 expenses.
- January 2014: Construction of the Phase 1 project was completed.
- August 2014: CTC allocated \$2M of the total \$30M for the design of Phases 2 and 3.
- August 2017: Alameda County Transportation Commission (ACTC) obligated \$21.5M in Measure BB funds; \$10.6M for Phase 2 construction and \$10.9M for Phase 3 construction.
- October 2017: CTC allocated \$19.9M of the total \$30M for the construction of Phase 2.
- September 2017¹: Council approved plans and specifications and call for bids for the Phase 2 project.
- March 2018: Construction of the Phase 2 project began.
- July 2020: Council approved plans and specifications and call for bids for the Phase 3 project when the utility companies provided their final drawings for undergrounding of the overhead utilities and property owners provided the temporary construction easements.
- September 2020: Completion of Phase 2 construction.
- January 26, 2021²: Council approved amendment to the Professional Services Agreement with Mark Thomas & Company for additional design services related to late design changes and to complete the bid documents.
- March 5, 2021: Call for bids.
- June 1, 2021: Council adopted a resolution rejecting all bids, approving revision of plans and specifications, and calling for bids to be received on September 14, 2021.

DISCUSSION

On March 5, 2021, staff advertised the project for construction bids. On April 6, 2021, two (2) bids were received; one from Ghilotti Construction Company, Inc., in the amount of \$12,833,938 and the second from DeSilva Gates Construction in the amount of \$14,014,014. The engineer's estimate was \$10,127,039. Due to the high bids received and funding shortfall, staff requested that Council rejects all bids. On June 1, 2021, Council adopted a resolution rejecting all bids, approving a revision of plans and specifications, and calling for bids to be received on September 14, 2021. Since the rejection of bids, staff submitted applications for three grants, including the RAISE Grants. Unfortunately, after a months-long process, this project was not selected to receive grant funding.

Currently, the plans and specifications for re-bid have been revised to address bidder questions from the March 5, 2021 call for bids. The plans and specifications were also revised to reduce and/or remove features like pavers, trench drains, color concrete, and cold-in place recycling pavement construction and include them as bid alternates. Should the cost of the bid alternates be within the project budget, the features will be included in the construction

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=3155405&GUID=84D3F0E9-A9CC-4564-B154-821017A671BA&Options=&Search=>

² <https://hayward.legistar.com/LegislationDetail.aspx?ID=4762237&GUID=87482B42-E3E7-442E-8850-E45F1886EB47&Options=&Search=>

contract.

The project is partially funded through a PFA with ACTC. Currently, the PFA is a total of \$21.5M in Measure BB funds: \$10.6M for Phase 2 construction and \$10.9M for Phase 3 construction. Phase 2 is complete with about \$0.825M in savings. These savings will be transferred to Phase 3 and are eligible for reimbursement. The City, ACTC, and MTC agreed to increase the existing PFA by \$1,662,000 from the Winton Avenue Complete Streets Project to support construction of Phase 3, for a total of \$23.2M. The Winton Avenue Complete Streets Project was funded by the One Bay Area Grant 2 funding that is not proceeding due to the Regional I-880 Interchange Improvement Project that would conflict with improvements on Winton Avenue. The increase in funding requires an amendment to the PFA.

Staff recommends authorizing the City Manager to execute an amendment to the original PFA, and accepting and appropriating the additional Measure BB grant funds to the project. Staff is also requesting that Council authorize the call for construction bids to be received by March 14, 2023.

ECONOMIC IMPACT

Since a portion of this project is funded by Measure BB, this project is required to meet Local Business Contracting Equity (LBCE) Program goals. The participation goals are 60% for Local Business Enterprise (LBE) and 20% for Small Local Business Enterprise (SLBE) pursuant to the Alameda CTC Local LBCE Program. In addition to the LBCE goals, the City's Community Workforce Agreement (CWA) is a requirement of the contract since the engineer's estimate is over \$1,000,000.

This project will contribute to the economic vitality of the region since this project is required to meet the LBCE goals. Additionally, completion of Phase 3 improvements which includes a raised bike lane adjacent to the sidewalk, from Rose Street to A Street, would result in a complete street, and positive economic benefits for businesses along the Mission Boulevard Corridor.

FISCAL IMPACT

The estimated project costs for Phase 3 are as follows:

	Estimated Cost
Design	\$1,800,000
Construction	\$13,200,000
Construction Contingency (ACO)	\$1,320,000
Estimated Contracts for Undergrounding	\$1,800,000
Construction Admin, Inspection, Testing	\$1,500,000
Phase 3 Project Total	\$19,620,000

The Adopted FY23 CIP Budget has appropriated a total of \$21.2M for all three phases of this project. Of this amount, \$11.7M is currently eligible for reimbursement through the existing PFA with ACTC. Under the amended PFA, an increase of \$1,662,000 in Measure BB grant funding will be accepted and appropriated to the Project.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority of Invest in Infrastructure. Specifically, this item relates to the implementation of the following project:

Project N7: Improve Mission Blvd as a key “Gateway to the City”

Project N7C: Complete design of Mission Boulevard Phase 3 and construction

SUSTAINABILITY FEATURES

This project incorporates sustainability features as they relate to water, energy, and the environment. Additionally, improvements such as the cycle track bike lane and sidewalk will promote health through physical activity.

PUBLIC CONTACT

Community meetings were held on October 12, 2016, July 12, 2018, and February 20, 2019, at City Hall. Updates to the project with emphasis on the cycle track were provided during the last community meeting.

NEXT STEPS

The following is the tentative schedule:

Call for Bids	February 10, 2023
Open Bids	March 14, 2023
Award Construction Contract	April 18, 2023
Begin Construction	Mid-May 2023
Complete Construction	Summer 2024

If Council approves, staff will route the PFA to be executed by ACTC and the City Manager. Staff will accept and appropriate the \$1,662,000 in additional Measure BB grant funding to the project. Additionally, staff will advertise the project on February 10, 2023, and calls for bids to be received on March 14, 2023.

Prepared by: Dave Hung, Senior Civil Engineer
Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager