



DATE: July 28, 2020

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution Awarding a Contract to Joe's Landscape Concrete Inc., in an Amount Not-to-Exceed \$439,916 for the FY20 Sidewalk Rehabilitation Project in Districts 4, 5, 7 and 10, Project Number 05285

RECOMMENDATION

That Council adopts a resolution (Attachment II) awarding the construction contract to Joe's Landscape Concrete Inc. in the amount of \$439,916 for the FY20 Sidewalk Rehabilitation Project No. 05285.

SUMMARY

On June 16, 2020, the City received nine (9) bids for the project ranging from \$439,916 to \$767,936.20 (Attachment V). Joe's Landscape Concrete Inc., of Newman, submitted the low bid in the amount of \$439,916, which is 10% higher than the Engineer's Estimate of \$398,500. Villalobos & Associates of Campbell submitted the second lowest bid in the amount of \$441,866, which is 11% higher than the Engineer's Estimate.

BACKGROUND

The agenda item is related to continuation of the City's Annual Sidewalk Rehabilitation Program that began in 2001. The Sidewalk Rehabilitation Program for the repair of damaged concrete sidewalks consists of two components. The first is the removal of tripping hazards from sidewalk displacements or 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 cannot be repaired by saw cutting or grinding because they are greater than 1¾ inches. This is utilized in determining which locations will included as part of the second component of the program. The second component of the Sidewalk Rehabilitation Program, which is the subject of this report, removes and replaces, with new concrete, all sidewalk displacement exceeding 1¾ inches.

To facilitate the selection of sidewalk area for the repair each year, the City is divided into 10 districts (Attachment IV). The FY20 Sidewalk Rehabilitation Program will repair damaged sidewalks in District 7, (Calaroga Area) and District 10, (Santa Clara Area). Portions of District 4, (Shafer Park Area) and District 5, (Fairway Park Rancho Verde Area), which were not completed as part of last year's program, will also be included in this project. Attachment III depicts the districts covered in this year's project.

The project also includes the 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 one tree and planting thirty-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 because it is in imminent danger of falling. Approximately 190 separate locations of damaged sidewalks, comprising a total of 14,000 square feet or 4% of total sidewalks in the City, will be repaired with this project.

DISCUSSION

On May 19, 2020, the eleven (11) bids which were received on April 14, 2020 for the FY20 Sidewalk Rehabilitation Project were rejected by the Council due to a discrepancy in the specifications and the project was re-advertised and bids were received on June 16, 2020.

On June 16, 2020, nine (9) bids were received. Joe's Landscape Concrete Inc., of Newman, submitted the low bid in the amount of \$439,916, which is 10% higher than the Engineer's Estimate of \$398,500. Villalobos & Associates of Campbell submitted the second lowest bid in the amount of \$ 441,866, which is 11% higher than the Engineer's Estimate. The bids ranged from \$439,916 to \$767,936. Originally, Burch Construction Co.'s bid was \$427,410, which would have been the low bidder. However, upon review, their bid contained errors in that the numerical bid unit amounts and the written word bid unit amounts did not coincide. Because the specification clearly states that written word unit bid numbers prevail, Burch Construction Co. bid totaled to \$470,695, resulting in their bid being the third lowest bid.

All bid documents and licenses are in order. Staff recommends award of contract to the low bidder, Joe's Landscape Concrete Inc., in the amount of \$439,916.

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 Sidewalk Rehabilitation FY20 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

Property owners with damaged sidewalks are given the option of completing the work themselves or having the repair undertaken by the City's contractor for a nominal fee of \$550 per property. Reimbursement from the property owners for the sidewalk rehabilitation is estimated to be approximately \$124,000.

FISCAL IMPACT

The estimated project costs are as follows:

Construction Contract	\$439,916
Trip Hazard Removal (completed under separate contract)	\$50,788
Design and administration	\$68,665
Construction survey, Inspection and Testing	\$90,000
Total	\$649,369

The adopted FY20 Capital Improvement Program (CIP) includes \$600,000 for the Sidewalk Rehabilitation Project in the Street System Improvements Fund. \$49,369 has been rolled over from last year's sidewalk repair to this year's project. There is no additional impact to the City's general fund.

STRATEGIC ROADMAP

This agenda is a routine operational item and does not relate to any of the six priorities outlined in the Council's Strategic Roadmap.

SUSTAINABILITY FEATURES

The project requires that all material generated during construction and demolition will be sent to designated facilities for recycling. Recycled Portland Cement Concrete will be required for use as an aggregate base for any new concrete curb, gutter, ramps, and sidewalk. The improvements made to sidewalks will encourage the public to walk more as opposed to driving their vehicles. This reduces 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 repair themselves or pay the \$550 fee for a single family home or actual repair cost for the 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

Begin Construction
Complete Construction

August 24, 2020
November 13, 2020

Prepared by: Kathy Garcia, Deputy Director of Public Works

Recommended by: Alex Ameri, Director of Public Works

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', written over a horizontal line.

Kelly McAdoo, City Manager