



CITY OF HAYWARD

Hayward City Hall
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Cover Memo

File #: CONS 15-132, **Version:** 1

DATE: September 15, 2015

TO: Mayor and City Council

FROM: Director of Utilities & Environmental Services

SUBJECT

BART Hayward Maintenance Complex (HMC) Water Main Looping Project: Award of Contract

RECOMMENDATION

That Council adopts the attached resolution (Attachment I):

1. Increasing the Administrative Change Order amount by \$30,000; and
2. Awarding the contract to ProVen Management Inc., in the amount of \$238,875.

SUMMARY

The Bay Area Rapid Transit (BART) agency's Hayward Maintenance Complex (HMC) project includes extension and relocation of City water and sewer facilities. The City Manager, per Resolution 14-166, negotiated and executed a letter agreement with BART that defined the scopes of work. BART and the City will manage the project for the HMC project, and BART will reimburse the City for all costs associated with the project. The Utilities & Environmental Services Department prepared plans and specifications for the City's portion of work to construct 260 feet of eight-inch water main from Carroll Avenue west, extending under the Union Pacific Railroad (UPRR) tracks, and connecting to the new eight-inch water main that BART is constructing at their eastern boundary with UPRR. City staff negotiated with BART's HMC contractor, ProVen Management Inc., to perform the work for \$208,875 and BART has approved the cost for full reimbursement. Staff recommends award of contract to ProVen Management Inc.

BACKGROUND

In 2011, the BART Board approved a \$412 million expansion plan for the eighty-eight acre Hayward Yard called the Hayward Maintenance Complex (HMC) project. The project consists of the acquisition of and improvement to three properties on the west side of the existing Hayward Yard, improvements and construction of new facilities within the existing Hayward Yard, construction of additional storage and maintenance tracks, and utility improvements to sanitary sewer, water supply, and fire protection systems. To improve the water quality and water supply for fire protection, the HMC project will replace and extend approximately 3,500 feet of the existing twelve-inch water lines within the yard and install approximately 700 feet of new eight-inch water line that crosses under the BART tracks, under the UPRR tracks, and connects to an existing water main in Carroll Avenue. The project also removes

approximately 700 feet of ten-inch sanitary sewer pipe to accommodate the new tracks and reconnects all service laterals for the existing buildings and new shops to other existing sewers.

In order to complete this work, as directed by Council on October 14, 2014, by Resolution 14-166, the City and BART have entered into a Letter Agreement on March 10, 2015, that defined the scopes of work that BART and the City will be jointly responsible for managing, and that BART will reimburse the City for all actual costs, including time and materials, for City staff to perform plan reviews, inspection, utility project management, and performance of water main tie-ins and shut-offs.

Staff has worked closely with BART representatives over the past two years and secured waterline easements, Temporary Construction Easements, and a Utility Crossing Agreement permit from UPRR. All City costs associated with acquisition of the water line easements, permits, inspection and project administration will be reimbursed by BART, per the Letter Agreement.

DISCUSSION

Per the above referenced Letter Agreement, construction of the approximately 700 foot eight-inch water main between BART's HMC and Carroll Avenue is divided between the City and BART such that BART will be constructing the water main within BART's property to the BART/UPRR property line (approximately 450 feet), and the City will construct the water main from the BART/UPRR property line to the existing water main in Carroll Avenue (approximately 260 feet) as shown on Attachment IIB.

BART's portion of the water main will be constructed first by excavating a bore pit roughly 16 feet deep between the tracks in the BART rail yard, and boring roughly 300 feet southwest horizontally to a receiving pit near the twelve-inch water main in the BART Access Road. The boring machine will then be rotated 180 degrees and will bore roughly 250 feet with an upward slope northeast to a shallow receiving pit behind 32199 Carroll Avenue and 35 Troy Place. The first 150 feet of the second bore is within the BART property and is part of BART's scope of work; the remaining 100 feet of the second bore passes under the UPRR property and is part of the City's scope of work. The City's work also includes installing roughly 160 feet of water main by open trench from the shallow receiving pit to the existing six-inch water main in Carroll Avenue in an easement between the residences identified above.

The Utilities & Environmental Services Department prepared plans and specifications for the City's portion of work to construct the new eight-inch water main with sixteen-inch steel pipe encasement. Given the access restrictions and liability issues regarding boring under rail lines, and the fact that the City needs to continue the bore started by BART, and that BART has to approve the contractor and cost of the City's portion of work for reimbursement, it is best for the entire work to be constructed at the same time and by the same contractor. Therefore, staff requested BART's HMC utility contractor, the low bidder of the construction project, ProVen Management Inc., to submit a quote to also construct the City's portion of the new water main.

On August 6, 2015, ProVen Management Inc., submitted a quote to perform the work for \$208,875 which is below the engineer's estimate of \$220,000. The proposed unit cost for the jack & bore portion is the same unit cost that they submitted to BART. The contractor also indicates that their proposal included a \$25,000 discount to account for the fact that a separate mobilization and coordination would not be needed and that installation of the water mains is done concurrent with BART's portion of work. There is also a saving of approximately \$5,000 related to security training by using BART's contractor. Staff

reviewed the quote with BART representatives and concluded that submitted quote from ProVen Management is reasonable.

The quotation submitted by ProVen Management doesn't include any Administrative Change Order amount. In order to cover any unexpected and unforeseen circumstances that may arise during the course of construction. Staff recommends increasing the Administrative Change Order amount by \$30,000 for this work.

Staff has checked references of ProVen Management Inc., and found no significant complaints. Staff also checked with the Contractor's State License Board and found that the contractor has an active license on file.

ENVIRONMENTAL REVIEW

The water and sewer pipeline replacements and new 700 foot water main are categorically exempt from environmental review under the California Environmental Quality Act (CEQA). Per Public Resources Code Section 21080.23, CEQA "does not apply to any project of less than one mile in length within a public street or highway or any other public right-of-way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline."

In regards to the overall HMC project, the BART Board approved the Final Initial Study/Mitigated Negative Declaration for the project on May 26, 2011, which satisfied the CEQA requirements for the HMC project. In addition, on September 21, 2011, the Federal Transit Administration found the HMC project to be categorically excluded from the National Environmental Policy Act (NEPA), per 23 CFR Part 771.177 (d), "Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community."

ECONOMIC IMPACT

There is no adverse economic impact on the Hayward community as a result of the utility improvements described above. BART estimates that approximately 215 new jobs will be created by the HMC project. In addition, the project will improve the reliability of and allow more trains to run more frequently to and from the Hayward community.

FISCAL IMPACT

As mentioned above, BART and the City have executed a Letter Agreement whereby BART will reimburse the City for all costs related to the utility improvements at the HMC project, including staff time, up to an estimated \$526,740. A total of \$300,000 had been appropriated for these improvements in the Water System Capital Improvement fund in the FY 2014-2015 CIP, with the corresponding reimbursement from BART. This amount will be sufficient to cover any up-front costs that the City needs to cover before it is

reimbursed.

PUBLIC CONTACT

City staff has worked closely with representatives of BART through all utility elements of this project. There will be no impact on other Hayward water customers as a result of the utility improvements at the HMC project. For the City's portion of work, notices will be provided to affected residents, property owners and business owners to inform them of the nature and purpose of the work, potential impacts, and a City contact for additional information. A second notice will be provided when the contractor's work schedule is defined and specific dates for street closures can be established.

NEXT STEPS

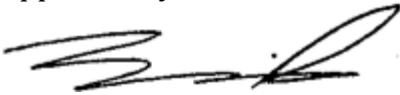
The following tentative project schedule has been developed for the City's portion of the project:

Award Construction Contract	September 15, 2015
Begin Construction	October 2015
Construction Completion	December 2015

Prepared by: Henry Louie, Senior Utilities Engineer

Recommended by: Alex Ameri, Director of Utilities & Environmental Services

Approved by:



Fran David, City Manager

Attachments:

Attachment I	Resolution - Award of Contract
Attachment IIA	Project Location Map
Attachment IIB	Waterline Location Map