



Office of the City Manager

CONSENT CALENDAR
May 21, 2013

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Andrew Clough, Director, Public Works
Subject: Contract: AJW Construction for the 2013 Safe Routes to School Project

RECOMMENDATION

Adopt a Resolution:

1. Approving the plans and specifications for the 2013 Safe Routes to School Project, Specification No. 13-10713-C;
2. Accepting the bid of AJW Construction, the lowest responsive and responsible bidder; and
3. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders with AJW Construction until completion of the project in accordance with the approved plans and specifications, in an amount not to exceed \$739,332 which includes a contingency for unforeseen circumstances.

FISCAL IMPACTS OF RECOMMENDATION

Grant funding from the Caltrans Safe Routes 2 School (SR2S) Program is available in the FY 2013 budget in the MTC Fund (689-4950-431-6525-10BP11). As part of the SR2S grant, the City is required to contribute a 10% local match, which is available as part of Regional Measure B funding (392-4950-431-6525-10BP11). The funding available in each source identified above is as follows:

MTC Caltrans SR2S.....	\$650,808
Regional Measure B Funding	\$88,524
Total Funding	\$739,332

Contractor bid.....	\$674,626
Contingency (9%)	\$64,706
Total Construction Costs	\$739,332

The Contract Management System number is CMS No. LE4UX.

CURRENT SITUATION AND ITS EFFECTS

This project includes work near 4 Berkeley schools: Thousand Oaks, Berkeley Arts Magnet, Malcolm X, and Rosa Parks. The proposed improvements were identified as part of a cooperative scoping process with City and school representatives. The scope

of work at each location includes improvements to pedestrian and bicycle access, increased pedestrian and bicycle safety, and ease of use and convenience of pedestrians accessing schools. Details of the improvements at each school are:

Thousand Oaks Elementary School

- Extend existing bus pullout using signs, paint and reconstructed curb;
- Install sidewalk curb bulb-outs at one intersection; and
- Convert 300' of existing sidewalk into multi-use pathway.

Berkeley Arts Magnet School

- Install sidewalk curb bulb-outs at two intersections;
- Expand one existing pick-up/drop-off area and install one new pick-up/drop-off area;
- Install pedestrian-activated crosswalk warning beacons at one intersection;
- Install advance warning signage at one intersection; and
- Install high visibility crosswalks at three intersections.

Rosa Parks Elementary School

- Install sidewalk curb bulb-outs on all corners of one intersection;
- Extend median to create pedestrian crossing refuges at one intersection; and
- Install high visibility crosswalks at three intersections.

Malcolm X Elementary School

- Install accessibility improvements (truncated domes) on all four corners of one intersection;
- Install advance stop bars and "Keep Clear" pavement legends at two school driveway locations.

BACKGROUND

The Caltrans SR2S Program awards grants to increase the number of children who walk or bicycle to school by funding projects that remove the barriers that currently prevent them from doing so. Those barriers include lack of infrastructure, unsafe infrastructure, lack of programs that promote walking and bicycling through education/encouragement programs aimed at children, parents, and the community.

These improvements were developed as a direct result of thorough community outreach efforts at each school as well as citywide. The Alameda County SR2S Program (administered by TransForm), in partnership with the Berkeley Unified School District and the City of Berkeley, has organized Safe Routes to Schools Task Forces at each of the schools. As part of this SR2S process, each school conducts a school safety walk audit with school administrators, parents, teachers, County SR2S staff and a qualified Traffic Engineer. The result of this process is a set of recommendations and requested improvements.

The Berkeley Transportation Division has reviewed these school area plans and integrated additional improvements as identified in the Berkeley Pedestrian Master Plan.

The Pedestrian Master Plan was subject to a thorough public involvement process involving multiple public meetings throughout the City. By integrating both the proposed school area improvements and projects from the citywide Pedestrian Plan in the immediate school area, the City has considered a wide range of alternatives for improvements at each school. Based on the Transportation Division's engineering and planning assessments, all improvements were refined into a final application package reflecting the most feasible and cost-effective proposals.

The Project was advertised on March 25, 2013 and bids were opened on April 9, 2013. Five (5) non-local bids were received from an apparent low of \$567,902 to a high of \$820,431 (Attachment 3, Bid Results). California Constructores was the apparent low bidder. However, after reviewing the details of their bidder's proposal in collaboration with the City Attorney's Office, it was determined that California Constructores' bid was non-responsive and therefore rejected. Therefore, AJW Construction of Oakland, California was the lowest responsive and responsible bidder and it is recommended that a contract for this project be awarded to them. AJW Construction has completed all required pre-award and nondiscrimination paperwork and forms, as required by the specifications. City staff has been satisfied with the quality of AJW Construction's work on similar recently completed construction projects within the City of Berkeley.

The Living Wage Ordinance does not apply to this project since Public Works construction contracts are, pursuant to City policy, subject to State prevailing wage laws. The lowest responsive responsible bidder will need to submit a Certification of Compliance for the Equal Benefits Ordinance. The contract is not subject to the Community Workforce Agreement, because the City's estimated value of the project is less than \$1 million.

RATIONALE FOR RECOMMENDATION

As part of the SR2S Program, the City secured funding for the design and construction of these improvements, and the selected contractor will construct them within the amount of SR2S funding available.

ALTERNATIVE ACTIONS CONSIDERED

No alternative action was deemed feasible. The City does not have in-house resources to provide the needed services in a timely fashion to meet grant deadlines.

CONTACT PERSON

Jeffrey L. Egeberg, Manager of Engineering, Public Works, 981-6400
Kenneth Emeziem, Supervising Civil Engineer, Public Works, 981-6444
Geoffrey Rubendall, Consultant Engineer, Public Works, 981-6407

Attachments:

- 1: Resolution
- 2: Project Location
- 3: Bid Results

RESOLUTION NO. ##,###-N.S.

CONTRACT: AJW CONSTRUCTION FOR CONSTRUCTION OF THE 2013 SAFE
ROUTES TO SCHOOL PROJECT

WHEREAS, access improvements to school facilities at Thousand Oaks, Berkeley Arts Magnet, Rosa Parks, and Malcolm X schools were identified and prioritized through a collaborative process between City staff and school representatives, and augmented by elements included in the Berkeley Pedestrian Master Plan; and

WHEREAS, Caltrans has committed Safe Routes to School funds for the construction of these improvements; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake the construction project, and the work cannot be performed by City staff due to the specialized nature of the work and resources required to meet the grant deadlines; and

WHEREAS, an invitation for bids was duly advertised and AJW Construction was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funds are available from the Caltrans Safe Routes to School Program in the MTC Fund (689-4950-431-6525-10BP11) and Regional Measure B Fund (392-4950-431-6525-10BP11), and the contract has been entered into the Citywide contract database and assigned CMS No. LE4UX.

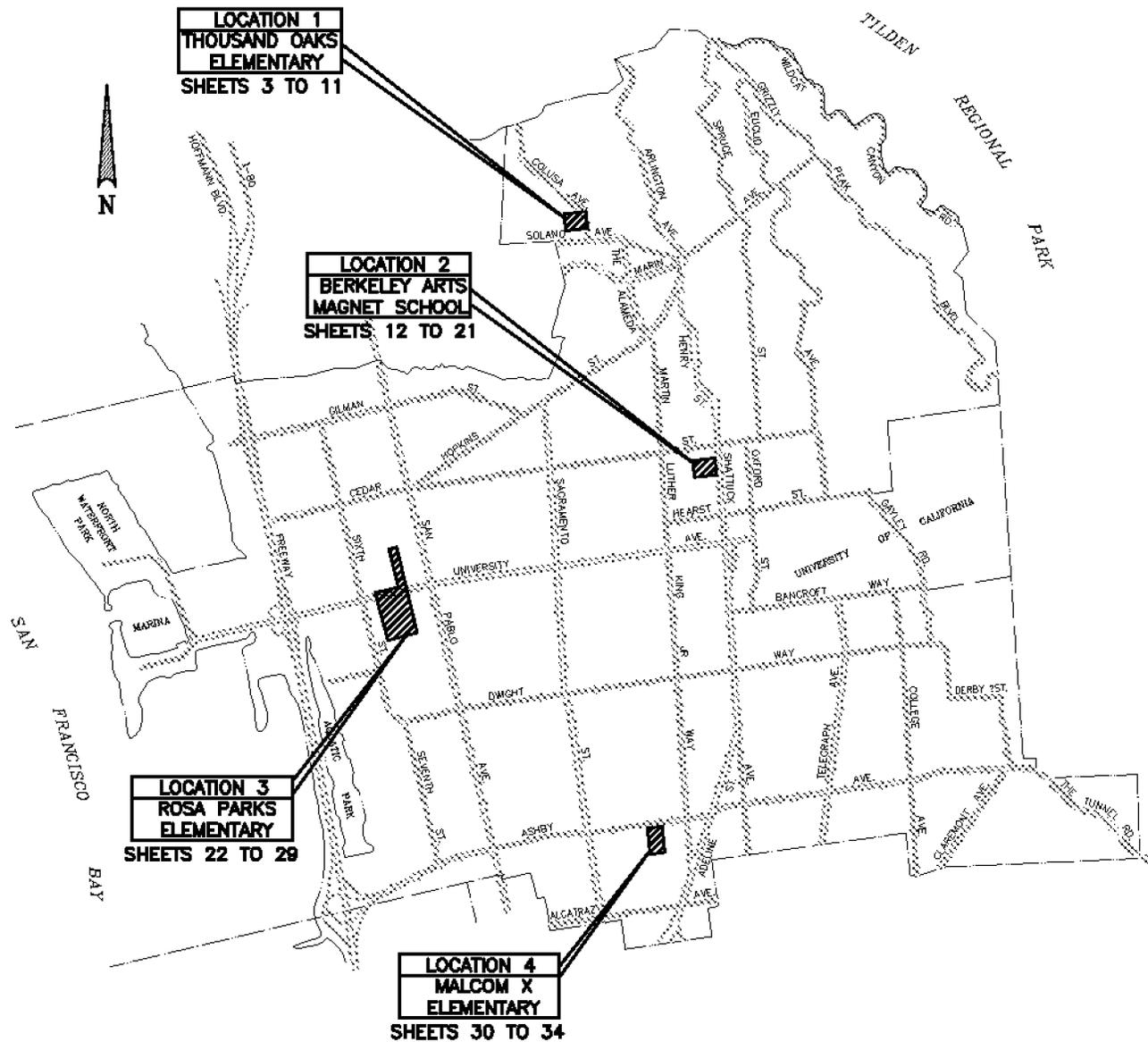
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Plans and Specifications No. 13-10713-C for the 2013 Safe Routes to School Project, which consists of improvements near the Thousand Oaks, Berkeley Arts Magnet, Rosa Parks, and Malcolm X schools are approved.

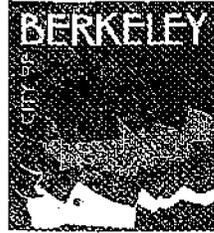
BE IT FURTHER RESOLVED that the City Manager is authorized to execute a contract and any amendments, extensions or change orders, with AJW Construction, until completion of the project in accordance with the approved plans and specifications for the Safe Routes to School Project, in an amount not to exceed \$739,332 and which includes a contingency for unforeseen circumstances. A record signature copy of said agreement and all amendments to be on file in the Office of the City Clerk.

**CITY OF BERKELEY
ALAMEDA COUNTY, CALIFORNIA**

SPECIFICATION NO. 13-10713-C

SAFE ROUTES TO SCHOOL





City of Berkeley
Abstract of Bid Worksheet

Finance Department
General Services Division

FOR: SAFE ROUTES TO SCHOOL

Spec. # 13-10713-C Bid Date: 4/9/13

	Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addenda
1	J A GOODSALES	820,431.20	/		/		/	/	/
2	WR FORDEY ASSOC	724,955.25	/		/		/	/	/
3	AW CONSTRUCTION	674,625.30	/		/		/	/	/
4	Calif CONSTRUCTORS	767,902.23	/		/		/	/	/
5	SPAZETO ENB.	818,963.80	/		/		/	/	/
6									
7									
8									
9									
10									

Bid Recorder: *Bob Klaukenberg* 4/9/13
 Bid Opener: *Kamabeen Johnson* 4/9/13
 Project Manager: *Wally...* 4/9/13