

Office of the City Manager

CONSENT CALENDAR

October 14, 2003

To: Honorable Mayor and
Members of the City Council
From: Weldon Rucker, City Manager
Subject: Contract: University Avenue Median Landscaping Renovations—Phase 2

RECOMMENDATION

Adopt a Resolution approving the Plans and authorizing the City Manager to execute a contract and any amendments with Cleary Brothers Landscape, Inc. for the University Avenue Median Landscaping Renovations—Phase 2 for the period November 2, 2003 to November 2, 2004 in an amount not to exceed \$697,630, including ten percent contingency.

FISCAL IMPACTS OF RECOMMENDATION

Parks Tax Fund and General Fund money in the amount of \$697,630 is allocated toward the construction costs for improving the landscaping and irrigation on University Avenue: \$363,097 in FY2003 Parks Tax funds to be carried into FY2004; \$34,533 in existing FY2004 Park Tax project funds; and \$300,000 in a new FY2004 General Fund loan allocation. The Parks Tax will refund the General Fund \$100,000 annually during FY2005, FY2006, and FY2007 for the “borrowed” \$300,000 in construction funds. The total construction budget will be established as described below. \$65,467 is allocated from FY2004 Parks Tax project funding for construction management and related staff costs.

450-5850-450-6580-01SM02 (FY2003 carryover)	\$305,617
450-5850-450-6580-02SM02 (FY2003 carryover)	\$ 57,480
450-5850-450-6580-01SM02 (FY2004 allocation)	\$34,533
610-5850-450-6580-01SM02 (FY2004 loan allocation)	\$300,000
Subtotal, including 10% for possible unforeseen work	\$697,630

CMS# PT8LU

CURRENT SITUATION AND ITS EFFECTS

The medians on University Avenue, Berkeley’s major thoroughfare, between Sixth Street and M.L. King, Jr. Way, are non-irrigated, barren and unsightly. This poor condition negatively affects the success of the local business community and is an unacceptable gateway and traffic corridor to the heart of the City. Weed-free topsoil was installed and Kikuyu grass was eradicated during the recently completed Phase 1 work (March – August 2003).

The south side of the University Avenue/Oxford Street lawn-planted median is repeatedly damaged by vehicular traffic making wide turns, and is problematic to maintain. The traffic

island at the Alameda/Marin Avenue intersection has no irrigation, it is weed-infested, and requires extraordinary time to hand-weed and water.

BACKGROUND

Council approved an annual \$100,000 allocation from the Parks Tax effective FY2002 for this project. The University Avenue Median Landscaping Renovations Plan was presented to the City Council on May 28, 2002, and the Phase 1 construction contract was awarded by the Council (Resolution No. 61,877 N.S.) December 17, 2002.

The University Avenue Association has been kept apprised of the project, most recently at its September 18, 2003, meeting. Construction signs have been posted at both ends of University Avenue since March 2003. A letter describing the planned work will be posted on the City of Berkeley's Parks web site to inform interested residents, business owners and community groups about the project, once a contract is awarded.

Construction contract bids were solicited region-wide beginning July 15, 2003; three bids were received on August 5, 2003. Prices varied from \$479,600 to 675,000. The lowest bidder, Bay Construction, withdrew their bid which was incorrect due to a clerical error. It is recommended that the contract for this work be awarded to the second lowest bidder, Cleary Brothers Landscape, Inc., for the amount of its bid \$634,211.50 (not including contingency). In doing so the City Council accepts the withdrawal of Bay Construction's bid. The contractor's references have been reviewed and are satisfactory.

RATIONALE FOR RECOMMENDATION

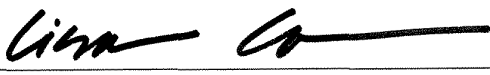
This critical project provides an opportunity to support the local business community and improve this long-neglected corridor. In part, underground work will be done which could facilitate future electrical service in the medians for festival-lighting and maintenance purposes. Providing cost-effective beautification of the University Avenue medians is one of the City Council's expressed priorities. Water efficiency will be improved using native plantings, central-based irrigation controllers, and drip irrigation equipment in many areas. Costs for maintenance will be less because paving will be installed in place of the landscaping, at the turn lanes. Abating problematic weedy conditions without herbicides fulfills objectives of the City's existing no-herbicide/pesticide policy.

ALTERNATIVE ACTIONS CONSIDERED

The process to reject all bids, revise the scope of work and negotiate on the open market, is anticipated to take time and possibly be impacted by higher construction labor and materials costs.

CONTACT PERSON

Lisa Caronna, Director of Parks, Recreation & Waterfront	981-6700
Brad Ricards, Landscape Architect	981-6437

Approved: 

Lisa Caronna, Director of Parks Recreation & Waterfront

RESOLUTION NO. -N.S.

APPROVING THE PLANS AND SPECIFICATIONS FOR THE UNIVERSITY AVENUE MEDIAN LANDSCAPING—SIXTH TO M.L. KING, JR. WAY--PHASE 2; UNIVERSITY AVENUE/OXFORD STREET; MARIN AVENUE/THE ALAMEDA MEDIAN RENOVATIONS; ACCEPTING THE BID OF CLEARY BROTHERS LANDSCAPE, INC. (CBLI); AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND ANY AMENDMENTS, EXTENSIONS OR OTHER CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$697,630, INCLUDING A TEN PERCENT CONTINGENCY

WHEREAS, the existing medians on University Avenue between Sixth Street and M.L. King Jr. Way are in disrepair, there is no irrigation system, and the unsightly appearance detracts from the successful business environment along that street; and,

WHEREAS, the median landscaping at the south side of University Avenue at Oxford Street is damaged by vehicular traffic and cannot be cost-effectively maintained as landscaping, so new decorative paving is proposed; and,

WHEREAS, the median at the Alameda Avenue/Marin Avenue is in disrepair and cannot cost-effectively be maintained as plantings so new decorative paving is proposed; and,

WHEREAS, Phase Two work includes native plantings, new automatic-controlled drip and spray irrigation equipment, electrical service, and lawn planting proposed improvements to be installed as part of the plan prepared by Reed Dillingham Landscape Architects, presented to City Council in May 2002; and,

WHEREAS, Phase One University Avenue work was completed August 2003 and weed-infested soils were removed from the medians where new shrub plantings are to be installed; and,

WHEREAS, bids were advertised (Specification #F-8984-03) and three bids were received on August 5, 2003 and the apparent lowest bidder, Bay Construction, withdrew its bid which was incorrect due to a clerical error; and,

WHEREAS, it is in the City's best interest to proceed with this work at this time and avert lost time and possible increased construction and labor costs, by awarding a contract to the second lowest responsive and responsible bidder, Cleary Brothers Landscape, Inc. (CBLI) for the amount of \$697,630, including a ten percent contingency; and who's Bid is responsive and is reasonable, and who's references have been checked and are satisfactory.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley approves and adopts the plans and authorizes the City Manager to execute a contract and any amendments, extensions, or change orders until completion of the project in accordance with the approved plans and specifications with CBLI to perform the University Avenue Median Landscaping Renovations Phase Two (University Avenue/Oxford Street; and Marin Avenue/the Alameda Median Renovations) in the amount not to exceed \$697,630, including ten percent contingency.

Funds are to be appropriated for this construction contract from both FY2003 carryover and FY2004 approved funds: FY2003 carryover in the amount of \$363,097 (\$57,480 to 450-5850-450-6580-02SM02 and \$305,617 to 450-5850-450-6580-01SM02); \$300,000 from a FY2004 General Fund loan to 610-5850-450-6580-01SM02; and \$34,533 from FY2004 450-5850-450-6580-01SM02. CMS #PT8LU. A record signature copy of contract and any amendments to be on file in the Office of the City Clerk.