


Office of the City Manager

CONSENT CALENDAR  
October 24, 2006

To: Honorable Mayor and  
Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Claudette R. Ford, Director of Public Works

Subject: Contract: Berkeley Marina Dock H-I Replacement Project

RECOMMENDATION

Adopt a Resolution approving plans and specifications for the Berkeley Marina Dock H-I Replacement Project, Specifications No. 05-10011-C (REBID); accepting the bid of Bellingham Marine Industries, Inc.; and authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, in an amount not to exceed \$3,700,000 for a period of 240 calendar days from the date of the execution of the contract.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in an allocation from the Department of Boating and Waterways Loan Fund (Fund 628) and the Marina Fund (Fund 825). No other funding is required, and no other projects will be delayed due to this expenditure.

Bid by Bellingham Marine Industries, Inc. .... \$3,086,149  
19.9% Contingency ..... \$613,851  
**Total construction cost..... \$3,700,000**

Budget Codes:  
628-5304-450-6580-03MD01 ..... \$2,986,127  
825-5304-450-6580-03MD01 ..... \$713,873  
**Total construction budget..... \$3,700,000**

The Contract Management System number is DUM43.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Marina docks located at A-E dock and H-I dock are in need of replacement. After almost 40 years of use, the wooden docks have deteriorated beyond their life expectancy of 20 to 25 years and may soon be unsafe for berthing. The H-I Dock Replacement Project is the first

phase of the City's ongoing program to rehabilitate or replace the aging dock system, and to eliminate potential safety hazards to the berthers.

The proposed project includes the demolition and replacement of Docks H-I. The existing Docks H-I include 44 boat slips (slip sizes 48' to 52') including 13 houseboat slips with a total linear footage of 11,470 square feet and 61 piles.

The new reconfiguration provides 62 boat slips (slip sizes 40' to 60') including 13 houseboat slips. The work to be done consists of, in general, construction of 17,075 square feet of concrete walkways and finger floats, 58 concrete piles, construction of aluminum gangway, sewer line and electrical upgrade.

#### BACKGROUND

Earlier this year, the City finalized a Department of Boating and Waterways loan in the amount of \$9 million to make improvements to the Berkeley Marina. These improvements are specifically for the replacement of docks A-E and H-I and several restrooms, which are not ADA (Americans with Disabilities Act) compliant. Payments for the project will be made from the proceeds of the loan, and the loan will be repaid to Boating and Waterways from the Marina Enterprise Fund revenues. In addition to the \$9 million loan, the City has set-aside \$1 million in the Marina Fund to cover the additional costs associated with the H-I dock replacement. H-I docks contain thirteen (13) floating home docks. Floating home docks are not covered by the Boating and Waterways loan. This brings the total project budget to \$10 million for A-E and H-I docks.

Existing docks A-E on the north side of the Marina and docks H-I on the east side are part of the original docks built in 1965. As mentioned earlier, the life expectancy of wooden docks is generally 20 to 25 years, and the nearly 40-year old wooden docks are in need of major repair. Condition assessments and feasibility studies of the docks have been performed, and it has been determined that the docks should be replaced instead of repaired based on the cost-benefit ratio.

The project will be performed in three phases with the H-I dock project as the first phase. The second phase involves repaving the parking lot at the H-I dock. The third phase is the A-E dock rehabilitation.

The H-I dock project (phases one and two combined) was released for bid on November 9, 2005, and bids were opened on December 13, 2005. Three (3) non-local bids were received from a low of \$3,433,449 to a high of \$3,530,665. Dutra Construction Company, Inc., of San Rafael, California, was the lowest responsive bidder. Staff evaluated the bids and determined that the bids exceeded the project budget. Since the lowest bid was approximately \$1 million over the project budget, staff elected to re-design the project and re-advertise.

On June 22, 2006, the H-I dock project was released for bid, and bids were opened on July 20, 2006. Two (2) non-local bids were received from a low of \$2,974,472 to a high of \$3,086,149 (Attachment 2). Associated Pacific Constructors, Inc., of Morro Bay, California was the lowest

responsive bidder. On October 12, 2006, Associated Pacific Constructors, Inc. sent a written notice to the City that they would not be extending the validity of their bid beyond the original 75 days stated in the project terms and conditions.

The second low bidder, Bellingham Marine Industries, Inc. has indicated that they will honor their bid price and agree to an extension of 30 days from the time required to award the project from the original 75 days. It is recommended that a contract for this project be awarded to the next lowest responsive and responsible bidder, Bellingham Marine Industries, Inc. of Dixon, California.

The term of the contract is 240 calendar days, which includes a performance period of 150 days and an additional 90 calendar days for project closeout beyond the above construction time. Contracted services are required for these large, complex projects. The City does not have the in-house labor or equipment resources to complete this dock replacement project.

The Living Wage Ordinance does not apply to this project, since Public Works construction contracts are subject to State prevailing wage laws. Bellingham Marine Industries, Inc., has submitted a Certification of Compliance for the Equal Benefits Ordinance.

RATIONALE FOR RECOMMENDATION

As mentioned above, after almost 40 years of use, the wooden docks have deteriorated beyond their life expectancy of 20 to 25 years and are considered unsafe. The H-I Dock Replacement Project is the first phase of the City’s ongoing program to rehabilitate or replace the aging dock system, and to eliminate potential safety hazards to the berthers.

ALTERNATIVE ACTIONS CONSIDERED

No alternative action was considered in the replacement and rehabilitation of the existing dock system. This project went through a sequence of different stages such as planning, preliminary cost estimates, field investigations, surveys, and design prior to the implementation of the project.

CONTACT PERSON

Marc Seleznow, Director of Parks Recreation and Waterfront.....	981-6700
Claudette R. Ford, Director of Public Works.....	981-6300
Cliff Marchetti, Waterfront Manager.....	981-6737
Jeffrey L. Egeberg, Manager of Engineering.....	981-6400
Kenneth Emeziem, Project Manager.....	981-6444

Attachments

- 1: Resolution
- 2: Abstract of Bids

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

CONTRACT: BERKELEY MARINA DOCKS H-I REPLACEMENT

WHEREAS, the Berkeley Marina Dock Replacement Project for H-I Docks is part of the City's on-going Berkeley Marina Rehabilitation Program to replace the aging and deteriorated dock system; and

WHEREAS, this capital improvement project is required to provide safe and functional berthing facilities; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this project; and

WHEREAS, an invitation for bids was originally released in November 2005 and because the lowest bid that was received was approximately \$1 million over the project budget, all bids were rejected and the project was re-advertised;

WHEREAS, an invitation for bids was duly advertised and Bellingham Marine Industries, Inc., was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funds are available in the current year budget in the Department of Boating and Waterways Fund (\$2,986,127 in Budget Code 628-5304-450-6580, Project 03MD01) and Marina Fund (\$713,873 in Budget Code 825-5304-450-6580, Project 03MD01), and the contract has been assigned CMS # DUM43.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it ratifies the action of the City Manager to reject all bids in December 2005 and readvertise the project;

NOW THEREFORE, BE IT FURTHER RESOLVED by the Council of the City of Berkeley to approve plans and specifications for the Berkeley Marina Dock H-I Replacement Project, Specifications No. 05-10011-C (REBID); accept the bid of Bellingham Marine Industries, Inc.; and authorize the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, in an amount not to exceed \$3,700,000. A record signature copy of said agreement and any amendments to be on file in the Office of the City Clerk.

**BERKELEY MARINA DOCK REPLACEMENT (H & I)  
SPEC. NO. 05-10011-C-REBID**

**CITY OF BERKELEY  
ABSTRACT OF BIDS  
BASE BID**

**BID OPENING  
2:00 P.M. 07/20/06**

Item #	Description	Estimated Quantity	Unit	Associated Pacific		Bellingham Marine	
				Unit Cost	Total Cost	Unit Cost	Total Cost
1	Mobilization/Demobilization	1	LS	200,000.00	200,000.00	122,500.00	122,500.00
2	Remove & Dispose Concrete Sidewalk	800	SF	5.75	4,600.00	6.25	5,000.00
3	Remove & Dispose Existing Pile Supported Trash Enclosures	1	LS	3,200.00	3,200.00	2,250.00	2,250.00
4	Utilities Disconnect	1	LS	7,500.00	7,500.00	8,500.00	8,500.00
5	Disconnect, Remove, & Dispose (E) Sewer Vaults & Pumps	1	LS	5,000.00	5,000.00	6,250.00	6,250.00
6	Remove & Dispose of Existing Docks	11470	SF	6.97	79,945.90	3.75	43,012.50
7	Remove & Dispose of Existing Piles	61	EA	1,000.00	61,000.00	774.59	47,249.99
8	Remove & Dispose of Gangway & Abutment	1	LS	2,000.00	2,000.00	1,875.00	1,875.00
9	Remove & Stockpile Existing Rock	1	LS	5,815.00	5,815.00	3,125.00	3,125.00
10	Dredge along Toe of Slope & Upland Disposal	1	LS	31,200.00	31,200.00	37,500.00	37,500.00
10A	Place Filter Fabric and Backing No. 2	1	LS	24,250.00	24,250.00	11,375.00	11,375.00
11	Place Rock from Stockpile	1	LS	6,500.00	6,500.00	12,500.00	12,500.00
12	Furnish & Install Rock	1	LS	30,000.00	30,000.00	52,500.00	52,500.00
13	Furnish & Install 18" Concrete Piles	58	EA	5,172.41	299,999.78	11,125.00	645,250.00
14	Furnish & Install Concrete Pile Supported Platform (Includes Piling)	1	LS	33,000.00	33,000.00	41,000.00	41,000.00
15	Furnish & Install Concrete Pile Supported Abutment (Includes Piling)	1	LS	0.00	0.00	0.00	0.00
16	Furnish & Install Aluminum Gangway	1	EA	70,000.00	70,000.00	65,000.00	65,000.00
17A	Furnish & Install Concrete Walkway Floats	8702	SF	81.59	709,996.18	70.55	613,926.10
17B	Furnish & Install Concrete Finger Floats	8373	SF	70.46	589,961.58	71.18	595,990.14
18	Furnish & Install Dock Boxes	62	EA	625.81	38,800.22	481.26	29,838.12
19	Furnish & Install Phone & Electric on Docks	1	LS	387,600.00	387,600.00	331,250.00	331,250.00
20	Furnish & Install Potable Water Service on Docks	1	LS	49,600.00	49,600.00	48,000.00	48,000.00
21	Furnish and Install Fire Water Service on Docks	1	LS	88,500.00	88,500.00	85,625.00	85,625.00
22	Furnish and Install Sewer Pipes on Docks	1	LS	36,000.00	36,000.00	34,750.00	34,750.00
23	Sewer Connections, Extensions, and Hydrants at Floating Home Berths	13	EA	923.08	12,000.04	900.00	11,700.00
24	Horizontal & Vertical Control	1	LS	2,500.00	2,500.00	15,000.00	15,000.00
25	Concrete sidewalk (includes ADA ramps)	800	SF	28.38	22,704.00	33.75	27,000.00
26	Concrete cut off Wall	87	LF	37.93	3,299.91	50.00	4,350.00
27	Concrete Curb	80	LF	31.25	2,500.00	41.25	3,300.00
28	Furnish & Install entry gate structure w/ light	1	LS	17,000.00	17,000.00	37,095.00	37,095.00
29	Landside Potable Water	1	LS	36,000.00	36,000.00	35,000.00	35,000.00
30	Landside Piping & Connection & Manhole for Sewer Line	1	LS	22,000.00	22,000.00	21,250.00	21,250.00
31	Landside Phone & Electrical	1	LS	42,000.00	42,000.00	37,188.00	37,188.00
32	Supplemental	1	LS	50,000.00	50,000.00	50,000.00	50,000.00
	<b>TOTAL</b>				<b>2,974,472.61</b>		<b>3,086,149.85</b>