



Office of the City Manager

CONSENT CALENDAR  
December 12, 2006

To: Honorable Mayor and  
Members of the City Council  
From: *PK* Phil Kamlarz, City Manager  
Submitted by: Claudette R. Ford, Director, Public Works  
Subject: Contract: Sanitary Sewer Project

RECOMMENDATION

Adopt a Resolution 1) approving the plans and specifications for the Sanitary Sewer Project located at San Diego Road, Somerset Place, Halcyon Court and Webster Street; and 2) authorizing the City Manager to execute a contract and any amendments, extensions or other change orders with Darcy and Harty Construction, Inc., until completion of the project in accordance with the approved plans and specifications in an amount not to exceed \$397,658, for a term of 170 calendar days from the date of the execution of the contract.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in an allocation from the FY 2007 Sewer Capital Improvement Project budget (Fund 830). No other funding is required, and no other projects will be delayed due to this expenditure.

Low bid by Darcy and Harty Construction, Inc.....	\$361,507
10% Contingency.....	<u>36,151</u>
<b>Total construction cost .....</b>	<b>\$397,658</b>

Budget Codes:

830-5303-432-6510-07SR02 .....	\$286,507
830-5303-432-6510-07SR03 .....	75,000
830-5303-432-6510-07SR02 (10% Contingency).....	<u>36,151</u>
<b>Total construction cost .....</b>	<b>\$397,658</b>

Contract Management System No. is HKS6U.

CURRENT SITUATION AND ITS EFFECTS

The sanitary sewer collection system within this project is quite old and subject to pipe failures, sewer blockages, and frequent leakage problems. Field investigations performed by a closed circuit television camera indicated root infiltrations from City trees, pipe defects, and open joints

in the existing sewer mains. City maintenance crews have received complaints and have records of recurring sewer leakages and backup problems at these locations.

The sewer rehabilitation project locations as shown on the attached map (Attachment 2) along with an estimate of the approximate construction cost and time for each location are as follows:

1. San Diego Road between Upton Lane and #803 San Diego Road - \$84,310 (23 days)
2. Somerset Place between Arlington Avenue and Devon Lane - \$43,965 (12 days)
3. Halcyon Court between Webster Street and Prince Street - \$69,472 (20 days)
4. Webster Street between Deakin Street and Colby Street - \$163,760 (45 days)

The term of the contract is 170 calendar days, which includes a performance period of 100 days and an additional 70 calendar days for project closeout beyond the above construction time. We will not be able to set firm dates for the term of the contract until it is finally executed. The City's Contract Administrator has approved this timeline.

This project is part of the City's ongoing program to rehabilitate or replace the aging sewer system, and to eliminate potential health hazards to the public.

#### BACKGROUND

The City, in compliance with the Environmental Protection Agency and Regional Water Quality Control Board's Cease and Desist Order to eliminate sewage overflows and reduce storm water infiltration and inflow into the sanitary sewer system, implemented a long-term, mandated Sanitary Sewer Capital Improvement Program.

This is the eighteenth year of a 30-year compliance plan. There have been significant accomplishments in both the reduction of sewage overflows and the replacement and upgrading of the City's portion of the sanitary sewer system.

The project was released for bid on September 29, 2006, and bids were opened on October 24, 2006. Five (5) non-local bids were received from a low of \$361,507 to a high of \$679,788 (Attachment 3). Darcy and Harty Construction, Inc. of San Francisco, California is the lowest responsive and responsible bidder, and it is recommended that a contract for this project be awarded to the firm.

Contracted services are required for these large, complex projects. The City does not have the in-house labor or equipment resources to complete the sanitary sewer rehabilitation and replacement sewer projects.

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

#### RATIONALE FOR RECOMMENDATION

The work to be done consists of, in general, replacement of approximately 2,850 linear feet of six-inch and eight-inch diameter sanitary sewer, construction of manholes, replacement of approximately 1,165 linear feet of four-inch diameter sewer laterals, and related work.

The scope of work includes additional funds for emergency work and contingency construction services on an as needed basis at various locations within the City of Berkeley.

ALTERNATIVE ACTIONS CONSIDERED

No alternative action was considered in the replacement and rehabilitation of the existing sewer main. 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

Jeffrey L. Egeberg, Manager of Engineering ..... 981-6400

Attachments:

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

RESOLUTION NO. -N.S.

CONTRACT: SANITARY SEWER PROJECT

WHEREAS, the Sanitary Sewer Project located at San Diego Road, Somerset Place, Halcyon Court and Webster Street is part of the City's on-going Sewer Capital Improvement Program to replace an aging and deteriorated sanitary sewer system; and

WHEREAS, such Capital Improvement Program is a requirement of compliance with a National Pollution Discharge Elimination System Permit and a Regional Water Quality Control Board Cease and Desist Order; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this Sanitary Sewer Project; and

WHEREAS, an invitation for bids (plans and specifications No. 07-10165-C) was duly advertised and Darcy and Harty Construction, Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funds are available in the current year budget in the Sewer Capital Improvement Project (Budget Codes 830-5303-432-6510-07SR02, 830-5303-432-6510-07SR03), and the contract has been entered in the Citywide contract database with CMS No. HKS6U; the term will be 170 days from the date of the execution of the contract.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley approve the plans and specifications No. 07-10165-C for the Sanitary Sewer Project located at San Diego Road, Somerset Place, Halcyon Court and Webster Street; and authorize the City Manager to execute a contract and any amendments, extensions or other change orders with Darcy and Harty Construction, Inc., until completion of the project in accordance with the approved plans and specifications, in an amount not to exceed \$397,658. A record signature copy of said agreement and any amendments to be on file in the Office of the City Clerk.

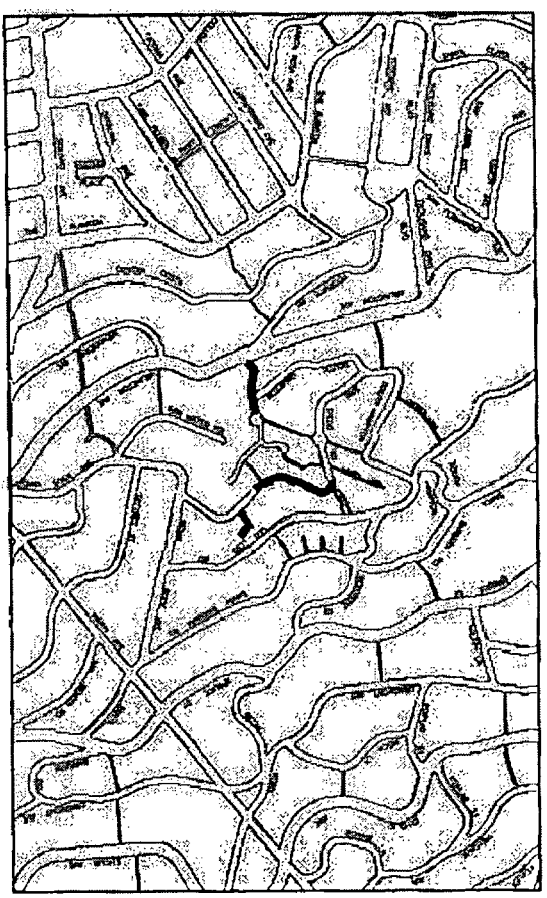
LOCATION MAP

**SANITARY SEWER REHABILITATION AND REPLACEMENT**

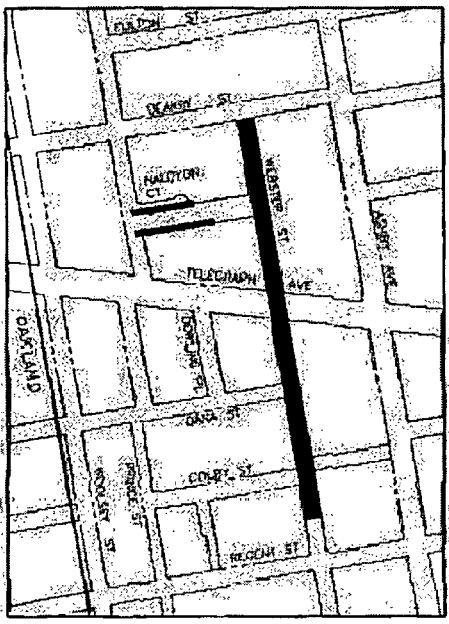
SAN DIEGO, SOMERSET, HALCYON, WEBSTER

BACKLINE: SAN DIEGO

SPECIFICATION NO. 07-10165-C



VICINITY MAP



VICINITY MAP

LEGEND

— CONSTRUCTION AREA

ATTACHMENT "2"



**City of Berkeley**  
Abstract of Bids Worksheet

Finance Department  
Purchasing Division  
FOR: *San Diego consultant, Oregon; work*

SPECIFICATION # *07-10165c*

BID DATE:

*10/24/06*

Bidders:	Base Bid	Proposal	Berk. Bus. Lic.	Living Wage	Ins. / Bonds	Opp. States	Nuc. Free	Work Force Comp.	Equal Benefits
① Pacific Trenchless Inc.	\$ 377,775.00					✓	✓		✓
② Darcy's Hardy Const.	\$ 361,507.00					✓	✓		✓
③ K.J. Woods Const.	\$ 388,000.00					✓	✓		✓
④ McManora & Smallman	\$ 382,788.20					✓	✓		✓
⑤ J. Howard Engineering	\$ 679,788.00					✓	✓		✓

Bid Opener Signature: *[Signature]* *10/24/06*

Recorder Signature: *[Signature]* *10/24/06*

Project Mgr. Signature: *[Signature]* *10/24/06*

2180 Milvia St., Berkeley, CA 94704 Tel: 510-981-7320 TDD: 510-981-6903 Fax: 510-981-7390  
e-mail: Finance@ci.berkeley.ca.us