



Office of the City Manager

CONSENT CALENDAR
January 27, 2026

To: Honorable Mayor and Members of the City Council
From: Paul Buddenhagen, City Manager
Submitted by: Terrance Davis, Director, Department of Public Works
Subject: Contract No. 32500124 Amendment: Buhler Commercial for FY 2023 Retaining Wall and Storm Drain Improvement Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32500124 with Buhler Commercial for work on the FY 2023 Retaining Wall and Storm Drain Improvement Project, Specification Nos. 23-11616-C & 23-11614-C, increasing the contract amount by \$250,000 for an amended total not to exceed \$2,224,009.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract amendment is available in the State Transportation Tax Fund (Fund 127).

State Transportation Tax (Fund 127)	\$250,000
Total construction amendment amount	\$250,000

No other funding is required, and no other projects will be delayed due to this expenditure.

Original Authorized Contract Amount (NTE)	\$1,974,009
This Amendment Amount	\$250,000
Amended Contract amount (New NTE)	\$2,224,009

CURRENT SITUATION AND ITS EFFECTS

The FY 2023 Retaining Wall and Storm Drain Improvement Project (the Project), Specification Nos. 23-11616-C & 23-11614-C, is currently under construction by Buhler Commercial. The Project is approximately 75 percent complete but has encountered unforeseen conditions that require additional work and funding.

Two significant site conditions were discovered during construction that were not apparent during the design phase:

- Subsurface groundwater was encountered at a shallower depth than anticipated during drilling of the cast-in-place pier foundations along Hilgard Avenue. The

presence of groundwater required the contractor to implement temporary steel casings to maintain hole stability, prevent soil caving, and safely complete the drilled pier installations. Although construction of the retaining wall has been successfully completed, the additional casing and drilling measures required to address the unexpected groundwater condition resulted in a substantial increase in construction costs.

- During excavation for the Upper Columbia Path staircase installation, the contractor exposed portions of an irregular rock outcrop that were not fully visible during design investigations. Once uncovered, it became clear that adjustments to the staircase profile were required to ensure a stable and constructible installation that accounts for existing geological features. These refinements reflect appropriate adjustments based on field-verified site conditions. This work is currently on hold, pending the Council approval of this contract amendment.

The Project requires \$250,000 in additional funds to cover the costs associated with addressing these unforeseen site conditions. The work is critical to complete the Project safely and in accordance with current engineering standards.

BACKGROUND

On July 23, 2024, Council authorized Contract No. 32500124 with Buhler Commercial, the lowest responsive and responsible bidder, to construct the FY 2023 Retaining Wall and Storm Drain Improvement Project for a not-to-exceed amount of \$1,974,009, which included a 10% contingency.

The Project includes several infrastructure repairs and improvements throughout various locations in the City, including storm drain maintenance hole upgrades, retaining wall replacements on Hilgard Avenue and La Loma Avenue, bridge abutment repairs at La Loma Bridge, pedestrian safety improvements at the Piedmont Avenue and Channing Way traffic circle, a new staircase at Upper Columbia Path, traffic calming improvements at the Woolsey Street and Eton Avenue intersection, and repairs to five existing concrete paths.

Prior to construction, the design team completed extensive due-diligence investigations at the project sites, including utility verification and exploratory borings to assess soil characteristics and the potential for groundwater. While these efforts provided critical baseline information, certain subsurface and geologic features such as the unexpectedly shallow groundwater encountered at Hilgard Avenue and the detailed configuration of the rock outcrop at the Upper Columbia Path staircase, could only be fully understood once excavation began. These field-verified conditions necessitated refinements to the planned construction approach.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

This contract amendment will help ensure the successful completion of infrastructure repair and pedestrian improvement projects. The retaining wall and pathway improvements support the City's commitment to maintaining safe, accessible infrastructure that encourages walking and reduces reliance on vehicle transportation.

RATIONALE FOR RECOMMENDATION

The additional funding is necessary to address critical safety and structural requirements that emerged during construction and could not have been anticipated during the design phase.

ALTERNATIVE ACTIONS CONSIDERED

No alternative action was considered for this project. If the proposed contract amendment is not approved, the completion of these infrastructure improvements would be delayed, potentially creating safety hazards at the construction sites. The state funding is readily available for project completion in the appropriate fund, and is meant to cover this exact type of situation.

CONTACT PERSON

Wahid Amiri, Deputy Director, Public Works, (510) 981-6396
Terrence Salonga, Interim Supervising Civil Engineer, Department of Public Works, (510) 981-6447

Attachments:
1: Resolution

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

CONTRACT NO. 32500124 AMENDMENT: BUHLER COMMERCIAL FOR FY 2023
RETAINING WALL AND STORM DRAIN IMPROVEMENT PROJECT

WHEREAS, on July 23, 2024, by Resolution No. 71,455-N.S., the City Council authorized Contract No. 32500124 with Buhler Commercial for the FY 2023 Retaining Wall and Storm Drain Improvement Project, Specification Nos. 23-11616-C & 23-11614-C, in an amount not to exceed \$1,974,009; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this FY 2023 Retaining Wall and Storm Drain Improvement Project; and

WHEREAS, unforeseen conditions were encountered during construction, including the discovery of groundwater during the installation of the Hilgard Avenue retaining wall piers requiring temporary steel casings and additional drilling to prevent soil collapse; and

WHEREAS, field conditions at the Upper Columbia Path staircase revealed variations in the existing rock outcrop that required design modifications during construction to ensure proper integration with existing terrain; and

WHEREAS, this Contract has insufficient budget to complete the aforementioned additional work required to address these unforeseen site conditions; and

WHEREAS, funding of \$250,000 is available in the State Transportation Tax Fund (Fund 127).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32500124 with Buhler Commercial for work on the FY 2023 Retaining Wall and Storm Drain Improvement Project, Specification Nos. 23-11616-C & 23-11614-C, increasing the contract amount by \$250,000 for an amended total not to exceed \$2,224,009. A record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.