



Office of the City Manager

CONSENT CALENDAR
June 16, 2026

To: Honorable Mayor and Members of the City Council
From: Paul Buddenhagen, City Manager
Submitted by: Wahid Amiri, Interim Director, Department of Public Works
Subject: Contract: Radius Earthwork, Inc. for FY 2026 Street Maintenance and Rehabilitation Project

RECOMMENDATION

Adopt a Resolution:

1. Approving plans and specifications for the FY 2026 Street Maintenance and Rehabilitation Project, Specification No. 26-11763-C;
2. Accepting the bid of Radius Earthwork, Inc., as the lowest, responsive and responsible bidder; and
3. 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 \$11,789,219.45.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available as listed below. No other funding is required, and no other projects will be delayed due to this expenditure. This project is funded through the existing Five-Year Paving Plan, as adopted by Council in 2023.

Low bid by Radius Earthwork, Inc.	\$9,824,349.54
20% Contingency	\$1,964,869.91
Total construction cost	\$11,789,219.45

FY 2026 Street Capital Improvement Program Funding

Road Maintenance & Rehabilitation Account/SB1 (127)	\$1,500,000
Measure F Vehicle Registration Fee (133)	\$112,960
Measure BB Sales Tax (134)	\$784,029
Capital Improvement Fund (501)	\$8,392,231
Zero Waste Fund (601)	\$1,000,000
Total construction funding	\$11,789,220

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CURRENT SITUATION AND ITS EFFECTS

The FY 2026 Street Maintenance and Rehabilitation Project (Specification No. 26-11763-C) was released for bids on March 5, 2026, and bids were opened on April 2, 2026. Five non-local bids were received, from a low of \$9,824,349.54, to a high of \$11,056,648.75 (see Attachment 3, Abstract of Bids).

The low bidder was Radius Earthwork, Inc., with a bid of \$9,824,349.54, which is below the Engineer's estimate of \$13.2 million. Following the bid opening, Bay Cities Paving & Grading, Inc., the second-lowest bidder, filed a bid protest alleging that Radius Earthwork's bid was nonresponsive due to the inclusion of two versions of a bid page containing different unit prices for Bid Item No. 2 (Traffic Control). After reviewing the protest, Radius Earthwork's response, and the bid documents, the City determined that the discrepancy constitutes a minor, non-material irregularity. The total bid amount submitted by Radius Earthwork is internally consistent and can only be derived using the lower of the two figures. The correct amount is objectively ascertainable from the face of the bid without reliance on post-bid explanations, and the discrepancy does not affect price, confer a competitive advantage, or impair the City's ability to compare bids. Accordingly, the City denied the initial protest.

Following the denial of the initial protest, Bay Cities, through counsel, submitted supplemental arguments on April 20, 2026. The letter argued that the duplicate Traffic Control entries create a material ambiguity requiring City discretion to resolve, and that the discrepancy gave Radius a competitive advantage through the potential to seek bid withdrawal under Public Contract Code Section 5103.

Staff reviewed the supplemental arguments and continues to recommend award to Radius Earthwork as the lowest responsive and responsible bidder. The new arguments do not change the underlying facts previously considered. The bid specifications provide that an "obviously incorrect entry" may be disregarded; staff determined the inconsistent duplicate entry qualifies because it does not align with the submitted total bid amount. Staff further concluded that the discrepancy did not create a realistic basis for withdrawal under Section 5103, as the intended bid amount is objectively determinable from the face of the bid and remains enforceable as submitted. Accordingly, staff recommends the City reject the supplemental protest and proceed with award to Radius Earthwork, Inc.

Staff has verified that Radius Earthwork, Inc. is the lowest, responsive and responsible bidder. Staff recommends a 20% contingency of \$1,964,869.91, which is higher than the standard 10% to account for current volatility in oil prices affecting asphalt costs, as well as other unforeseen conditions that may arise during construction. Staff recommends that a contract for this project be awarded to Radius Earthwork, Inc.

The FY 2026 Street Maintenance and Rehabilitation Project is in alignment with the Strategic Plan, advancing our goal of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

Effective January 1, 2026, local agencies are required to satisfy noticing requirements for certain contracts for services that meet the criteria outlined in Government Code Section 3204.1 as amended by AB 339. This project does not meet the criteria in Government Code Section 3504.1 and is exempt from the noticing requirement.

BACKGROUND

Several streets throughout Berkeley are scheduled for rehabilitation as part of the City's Five-year Street Rehabilitation Plan (Five-Year Plan). The City maintains a rolling Five-Year Plan for resurfacing and repaving City streets. Staff develops the plan using a Pavement Management System supported by the Metropolitan Transportation Commission (MTC). The Five-Year Plan was updated for Fiscal Years 2024 through 2028 by Resolution 71,120-N.S. adopted by Council on November 28, 2023. The Five-Year Plan aims to complete 46.73 miles of street rehabilitation with nearly \$90 million in funding over five years. Funding sources primarily include the State Transportation Tax, Road Repair, Accountability Act, and Measure BB. Additionally, an annual allocation of \$1 million from the Zero Waste Fund for FY 2024 to FY 2026, increasing to \$2 million for FY 2027 and FY 2028, and is intended to offset the impact of Zero Waste collection vehicles on the City's pavement.

The Street Rehabilitation and Repair Policy created by Resolution 55,384-N.S. and most recently updated by 70,204-N.S. to include Equity Zone considerations, contains the essential criteria for developing the plan and consists of the following:

- To the extent financially practical, implementing the paving plan shall advance California Assembly Bill 413 (AB 413) and City plans, e.g., the Complete Streets Policy, Vision Zero Policy and Action Plan, Pedestrian Plan, and Bicycle Plan.
- Where feasible, rehabilitation of contiguous roadway sections, rather than one block at a time shall be preferred.
- Strive to maintain all roads within the primary transportation network (arterials, collectors, bus routes, existing and proposed low-stress bikeway network, and equity zone) at a target Pavement Conditions Index (PCI) 70.
- The benefits of good infrastructure shall be distributed equitably throughout the entire community regardless of the income, political influence, or demographic characteristics of the residents of each area. The established Equity Zone shall be prioritized to meet an average PCI of 70 sooner than the remainder of the City.
- Coordinating sewer, water, electrical, telecom, undergrounding, and other activities.

This contract is for the paving of approximately 9.9 miles of City streets. It consists of rehabilitation and surface sealing of selected streets, as shown in Attachment 2: Location Map & List of Streets (taken from the City's Five-Year Plan adopted by Council in November 2023).

In addition to street pavement, the project incorporates other improvements to selected streets in compliance with the Berkeley Complete Streets Policy (Resolution No. 65,978-N.S.), the Americans with Disabilities Act (ADA), and stormwater best management practices. Among the improvements included are the following:

- Construction of traffic circles at intersections along Addison Street at Fifth, Seventh, and Tenth streets pursuant to the Bicycle Plan and Pedestrian Master Plan;
- Speed cushions on the entire segment, from Bolivar Drive to Curtis Street; and
- Traffic calming quick-builds at intersections of MLK Jr. Way/Virginia St and Solano Ave/Ensenada Ave.

Additional infrastructure repairs are also included in this project. All non-paving related costs represent approximately 35% of the construction costs.

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The project plans and specifications underwent planning coordination with outside utility companies, preliminary cost estimates, field investigations, surveys, and extensive design before being released for bid.

The plans and specifications are on file in the Public Works Department. In accordance with the California Environmental Quality Act (CEQA) requirements, this project has been determined to be categorically exempt because it consists of maintenance of existing streets and does not expand their use beyond existing conditions.

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. Radius Earthwork, Inc. has submitted a Certification of Compliance with the Equal Benefits Ordinance. The Community Workforce Agreement applies to this project because its value exceeds \$500,000. As a result, the contractor and all subcontractors will be required to sign an agreement to be bound by the terms of the Agreement.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The project includes using rubberized hot mix asphalt treatments, which help divert tire waste from landfills, thus promoting recycling and reducing environmental waste. Additionally, the project includes the use of slurry seal and micro surfacing treatment, which lessens carbon footprint associated with pavement maintenance by enhancing the longevity of road surfaces, thereby decreasing the frequency of future repairs and the associated emissions from construction activities.

RATIONALE FOR RECOMMENDATION

This street repair project is part of the City's annual program to rehabilitate deteriorated streets. The work requires contracted services, as the City does not possess the in-house labor or equipment resources necessary to complete it.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered for this pavement rehabilitation project. The City could choose not to proceed with it. However, the street pavement would then continue to deteriorate, requiring more substantial and costly treatments in the future. In turn, more substantial treatments increases the likelihood of disturbing the roadway subgrade, thereby triggering Municipal Regional Permit Provision C3 requirements and adding significant cost to the project. Additionally, drainage improvements would not be made, and Complete Streets, Vision Zero and bicycle and pedestrian elements would not be installed, affecting the community's and others' use of the street.

CONTACT PERSON

Terrence Salonga, Supervising Civil Engineer, Public Works (510) 981-6447
Randy (Wai) Kong, Associate Civil Engineer, Public Works (510) 981-6412
Wahid Amiri, Interim Director, Public Works (510) 981-6396

Attachments:

- 1: Resolution
- 2: Location Map & List of Streets for Project

Contract: Radius Earthwork, Inc. for
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3: Abstract of Bids

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

CONTRACT: RADIUS EARTHWORK, INC. FOR
FY 2026 STREET MAINTENANCE AND REHABILITATION PROJECT

WHEREAS, The FY 2026 Street Maintenance and Rehabilitation Project is part of the City's ongoing Street Capital Improvement Program to rehabilitate deteriorated streets located throughout the City; and

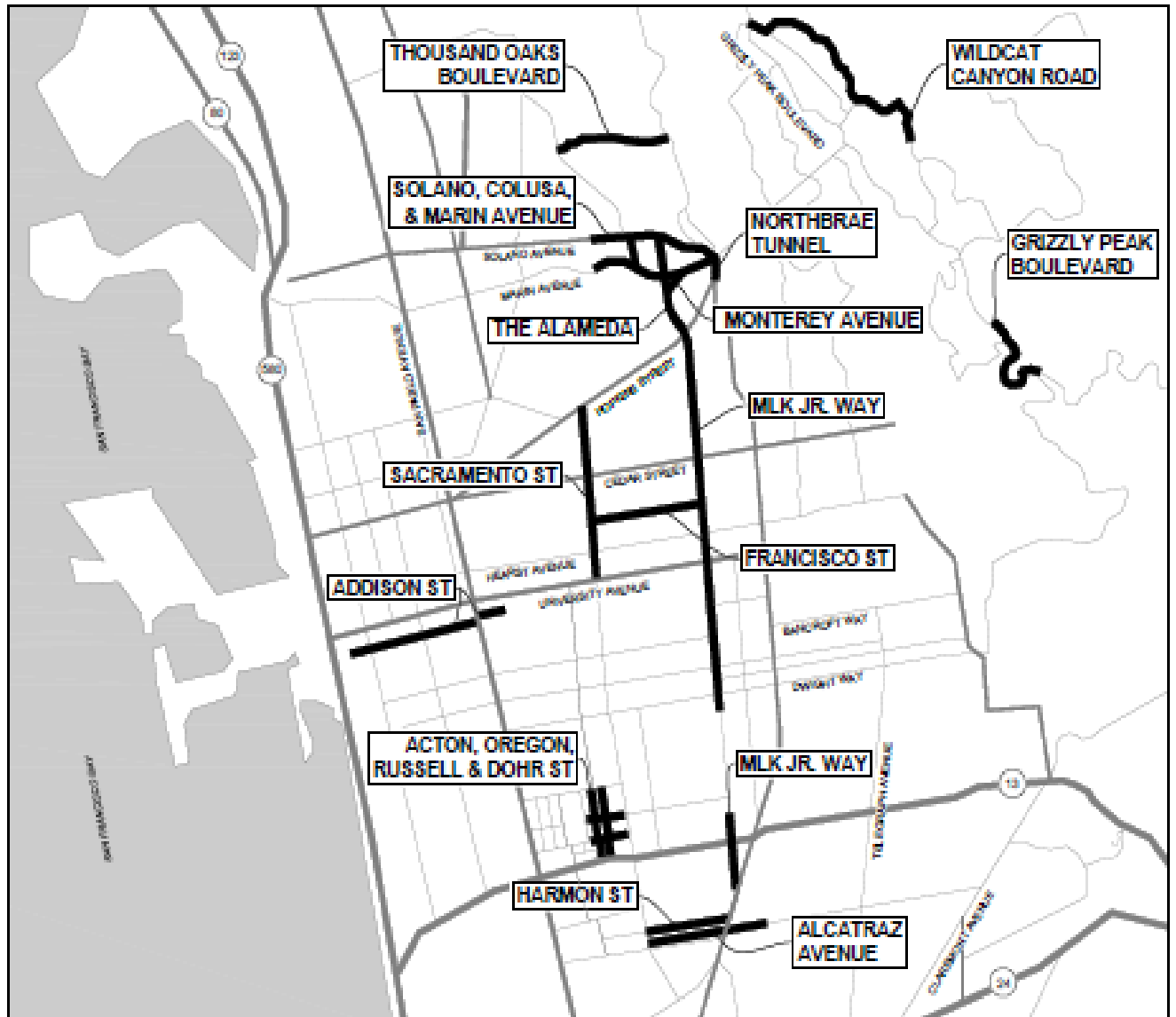
WHEREAS, an invitation for bids was duly advertised, and Radius Earthwork Inc. was the lowest responsive and responsible bidder; and

WHEREAS, funding is available in the FY 2026 budget in the Street Capital Improvement Program Road Maintenance & Rehabilitation Account (127-SB1), Measure F Vehicle Registration Fee (Fund 133), Measure BB Sales Tax (Fund 134), Capital Improvement Fund (Fund 501) and Zero Waste Fund (Fund 601).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specification No. 26-11763-C for the FY 2026 Street Maintenance and Rehabilitation Project are approved.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley 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 Radius Earthwork, Inc. for the FY 2026 Street Maintenance and Rehabilitation Project, in an amount not to exceed \$11,789,220, which includes a 20% contingency for unforeseen circumstances. A record signature copy of said agreement and any amendments will be on file in the Office of the City Clerk.

FY 2026 Street Maintenance & Rehabilitation Project
Attachment No. 2: Location Map & List of Streets



LOCATION MAP 
NORTH

FY 2026 Street Maintenance & Rehabilitation Project
 Attachment No. 2: Location Map & List of Streets

Street	From	To
ACTON ST	ASHBY AVE	WARD ST
DOHR ST	ASHBY AVE	WARD ST
RUSSELL ST	PARK ST	SACRAMENTO ST
OREGON ST	PARK ST	SACRAMENTO ST
HARMON ST	SACRAMENTO ST	ADELINE ST
ALCATRAZ AVE	SACRAMENTO ST	CITY LIMIT (DOVER ST)
ADDISON ST	BOLIVAR DR	CURTIS ST
SOLANO AVE	TULARE AVE	DEL NORTE ST
COLUSA AVE	SOLANO AVE	MARIN AVE
MARIN AVE	TULARE AVE	THE CIRCLE
MONTEREY AVE	MARIN AVE	THE ALAMEDA
THE ALAMEDA	SOLANO AVE	YOLO AVE
SACRAMENTO ST	HOPKINS ST	UNIVERSITY AVE
FRANCISCO ST	SACRAMENTO ST	MLK JR WAY
MLK JR WAY	ADELINE ST	YOLO AVE
THOUSAND OAKS BLVD	COLUSA AVE	ARLINGTON AVE
GRIZZLY PEAK BLVD	HILL ST	GOLF COURSE RD
WILDCAT CANYON RD	GRIZZLY PEAK BLVD	THE SPIRAL



City of Berkeley
Abstract of Bid Worksheet

Finance Department

[FY 2026 Street Maintenance and Rehabilitation Project](#)

General Services Division

[Spec. No. 26-11763-C](#)

Bid Date: April 2, 2026

required w/ bid

	Bidders	Base Bid	Bid Bond	Addenda (1 & 2)	Experience-Fin. Qual	Taxpayer ID	Opp. States	Nuclear Free	EBO	Sanctuary City
1	Gallagher & Burke	\$10,770,700.00	x	x	x	x	x	x	x	x
2	MCK Services *	\$10,336,945.63 \$10,315,845.63	x	X	x	x	x	x	x	x
3	Bay Cities Paving & Grading	\$9,942,000.00	x	x	x	x	x	x	x	x
4	McGuire Hester *	\$11,056,649.40 \$11,056,648.75	x	x	x	x	x	x	x	x
5	Radius *	\$9,823,341.54 \$9,824,349.54	x	x	x	x	x	x	x	x
6										
7	* Error in tabulation found. Corrections in red.									

Bid Recorder:

Tanisha Gainer

Date Apr 6, 2026

Bid Opener:

Roop Soorma
Roopreet Soorma (Apr 6, 2026 10:14:10 PDT)

Date Apr 6, 2026

Project Manager:

Stephanie Angela

Date April 3, 2026

