



Office of the City Manager

CONSENT CALENDAR
February 19, 2019

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Phillip L. Harrington, Director, Department of Public Works
Subject: Contract: D’Arcy & Harty Construction, Inc. for Sanitary Sewer Rehabilitation and Replacement at Various Locations

RECOMMENDATION

Adopt a Resolution approving plans and specifications for the Sanitary Sewer Project, located on Mathews Street, Euclid Avenue and Backline, Mabel Street, Oregon Street, Derby Street, Fairview Street, Catalina Avenue Backline, Fairlawn Drive Backline, and Arlington Avenue; accepting the bid of the lowest responsive and responsible bidder, D’Arcy & Harty Construction, 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 \$1,363,373, which includes a 10% contingency of \$123,943.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2019 Sanitary Sewer Fund 611-54-623-676-0000-000-473-665130-PWENSR1901.

Low bid by D’Arcy & Harty	\$1,239,430
10% Contingency	\$123,943
Total construction cost	\$1,363,373

The contract has been entered into the Contract Management System (CMS) as CMS No. IH881.

CURRENT SITUATION AND ITS EFFECTS

This sanitary sewer project is part of the City's ongoing program to rehabilitate or replace its aging sanitary sewer system, and to eliminate potential health hazards to the public. The project will be sited at various locations throughout the City as shown on the Location Map (Attachment 2). The sanitary sewer collection system in these areas needs immediate rehabilitation to prevent impending pipe failures, sewer blockages, and leakage problems. Field investigations performed using a closed circuit television camera revealed deteriorated piping and pipe defects in the existing sanitary sewer mains. These conditions are similar to problems previously

found in other sanitary sewer mains prior to their replacement.

Planned work entails replacement or rehabilitation of approximately 2,455 linear feet of 6-inch and 8-inch diameter sanitary sewer mains; manhole construction; replacement of 4-inch and 6-inch diameter sanitary sewer laterals; and other related work. To reduce traffic impacts, minimize inconvenience to residents, and reduce cost, a majority of this sanitary sewer rehabilitation work will be performed using the pipe bursting method. This trenchless method allows replacement of pipelines buried below street level (such as sewer or water pipes) without the need for a traditional open trench construction. This method of pulling a new high-density polyethylene pipe (HDPE) through the existing clay pipe with a cone-shaped hammerhead to "burst" the surrounding clay pipe, allows for cost savings, and avoids street closures and traffic disruptions caused by open trenches.

The scope of work also includes provisions for urgent/emergent actions related to acute sewer defects that will be undertaken at other citywide locations on an as-needed basis. As required by the United States Environmental Protection Agency (EPA) and Regional Water Quality Control Board Consent Decree, acute defects must be addressed no later than one year after they are identified. The 95 working day contract term includes a 50 working day performance period and an additional 45 working days for project closeout. Finally, a 10% contract contingency of \$123,943 is included to pay for related unexpected future construction events.

BACKGROUND

To remain compliant with the September 22, 2014 Consent Decree, the City has implemented a long-term mandated Sanitary Sewer Capital Improvement Program to eliminate sanitary sewer overflows (SSOs) and reduce storm water infiltration and inflow into the sanitary sewer system. Under this program, the City utilizes a comprehensive asset management approach based on complex and evolving hydrologic and hydraulic modeling and condition assessments to repair, replace, or upgrade the City's portion of the sanitary sewer system. Ultimately, these actions will assist East Bay Municipal Utility District (EBMUD) in their goal of eliminating discharges from their wet weather facilities by the end of 2035.

This is the fifth year of the twenty-two-year Consent Decree program, which stipulates the City shall perform collection system repair and rehabilitation to control infiltration and inflow.¹ This is in support of and in addition to ongoing work previously identified in the City's Sanitary Sewer Management Plan (SSMP) and Asset Management Implementation Plan (AMIP).

An Invitation for Bids (Specification. No. 17-11140-C) was released on December 13, 2018 and seven non-local bids were received, ranging from a low of \$1,239,430 to a high of \$1,715,960 (Attachment 3, Bid Results). The engineer's estimate for the project was

¹ At an average annual rate of no less than 22,120 feet of sanitary sewer mains on a three-fiscal-year rolling average.

\$1,750,000. D'Arcy & Harty of San Francisco, California was the lowest responsive and responsible bidder. Previous work and references of D'Arcy & Harty proved satisfactory, thus staff recommends award of the contract to D'Arcy & Harty.

The Living Wage Ordinance does not apply to this project as Department of Public Works construction contracts are subject to State prevailing wage laws. D'Arcy & Harty has submitted a Certification of Compliance with the Equal Benefits Ordinance. Because the project's estimated value exceeds \$500,000, the Department of Public Works intends to continue honoring the Community Workforce Agreement (CWA) and will apply its terms to this agreement. As a result, the successful bidder and all subcontractors must agree to be bound by the terms of the CWA.

ENVIRONMENTAL SUSTAINABILITY

Improvements to the City's sanitary sewer system will help protect water quality by reducing the frequency of SSOs, and infiltration and inflows into the City's sanitary sewer system that can negatively affect the San Francisco Bay.

RATIONALE FOR RECOMMENDATION

Contracted services are required for these large projects, as the City lacks in-house resources needed to complete scheduled sanitary sewer rehabilitation and replacement projects. Further, the City must take timely action to address urgent/emergent sewer repairs without delay. Finally, subject to fines and stipulated penalties, the Consent Decree demands the City to repair acute defects within one year of discovery, and complete sanitary sewer main rehabilitation and replacement at a three-year annual average minimum of 22,120 feet per fiscal year. The City will have a three year annual average of approximately 23,530 linear feet of replaced or rehabilitated sewer mains after completing the FY 2019 work by June 30, 2019.

ALTERNATIVE ACTIONS CONSIDERED

No reasonable alternative exists as the City's sanitary sewer pipelines are in poor condition and in need of timely rehabilitation to prevent an increased probability of infiltration and inflows, sanitary sewer leakages, and backup problems in the sanitary sewer system.

CONTACT PERSON

Andrew Brozyna, Deputy Director, Public Works, (510) 981-6396
Nisha Patel, Manager of Engineering, Public Works, (510) 981-6406
Ricardo Salcedo, Assistant Civil Engineer, Public Works, (510) 981-6407

Attachments:

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

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

CONTRACT: D'ARCY & HARTY CONSTRUCTION, INC. FOR SANITARY SEWER REHABILITATION AND REPLACEMENT – MATHEWS STREET, EUCLID AVENUE AND BACKLINE, MABEL STREET, OREGON STREET, DERBY STREET, FAIRVIEW STREET, CATALINA AVENUE BACKLINE, FAIRLAWN DRIVE BACKLINE, AND ARLINGTON AVENUE.

WHEREAS, the Sanitary Sewer Project is part of the City's on-going Sanitary Sewer Capital Improvement Program to rehabilitate or replace the aging and deteriorated sanitary sewer system; and

WHEREAS, the Capital Improvement Program is a requirement of compliance with the National Pollution Discharge Elimination System Permit and California Regional Water Quality Control Board Consent Decree; and

WHEREAS, the City has neither the staff nor the equipment necessary to undertake this Sanitary Sewer Rehabilitation and Replacement Project and other urgent/emergent sewer repairs; and

WHEREAS, on December 13, 2018 the City released an Invitation for Bids (Specification #17-11140-C) for sanitary sewer rehabilitation and replacement; and

WHEREAS, the City received 7 submissions, and D'Arcy & Harty Construction, Inc. was found to be the lowest responsive and responsible bidder; and

WHEREAS, funds are available in the FY 2019 budget Sanitary Sewer Fund 611 and the contract has been entered as CMS No. IH881.

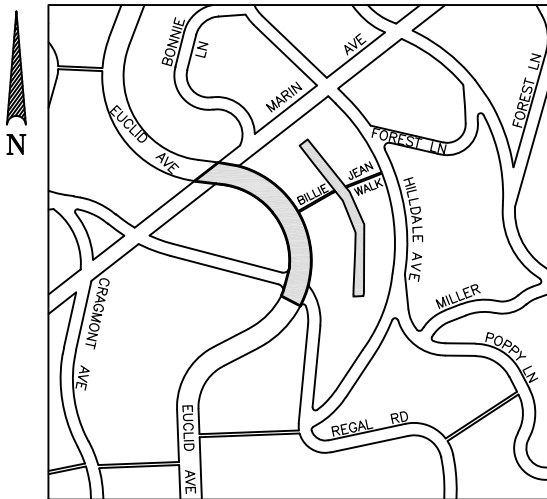
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specifications No. 17-11140-C for the Sanitary Sewer Rehabilitation and Replacement Project are approved.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments with D'Arcy & Harty Construction, Inc., until completion of the project in accordance with the approved specifications for the Sanitary Sewer Rehabilitation and Replacement Project located on Mathews Street, Euclid Avenue and Backline, Mable Street, Oregon Street, Derby Street, Fairview Street, Catalina Avenue Backline, Fairlawn Drive Backline, and Arlington Avenue, in an amount not to exceed \$1,363,373 which includes a 10% 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.

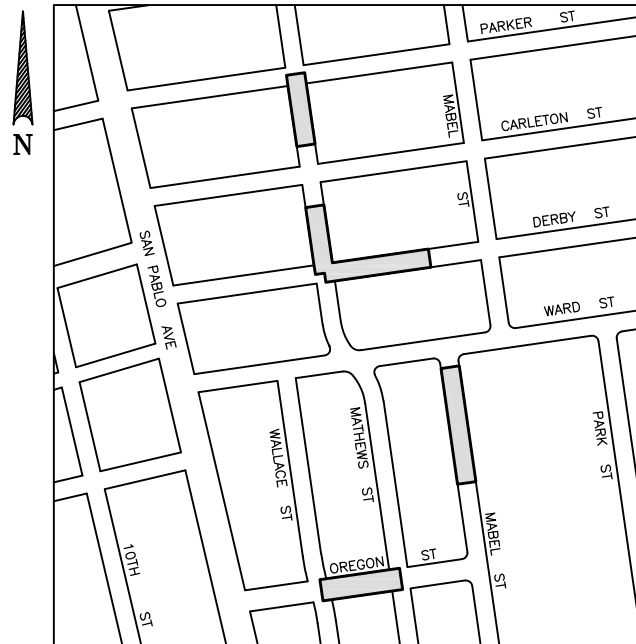
LOCATION MAP

ATTACHMENT 2

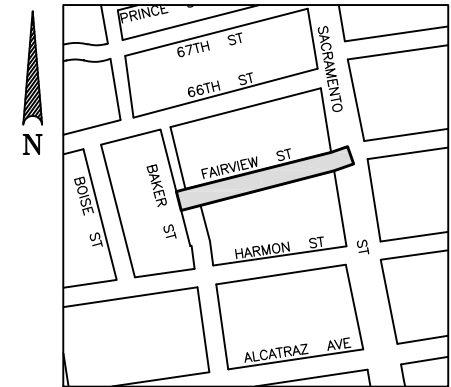
SANITARY SEWER REHABILITATION AND REPLACEMENT
MATHews STREET, EUCLID AVENUE AND BACKLINE, MABEL STREET,
OREGON STREET, DERBY STREET, FAIRVIEW STREET, CATALINA AVENUE
BACKLINE, FAIRLAWN DRIVE BACKLINE, AND ARLINGTON AVENUE
SPECIFICATION NO. 17-11140-C



LOCATION 1



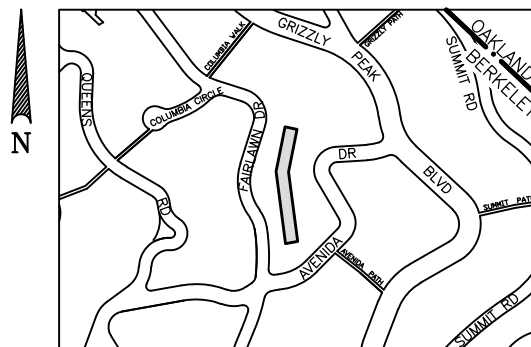
LOCATION 2



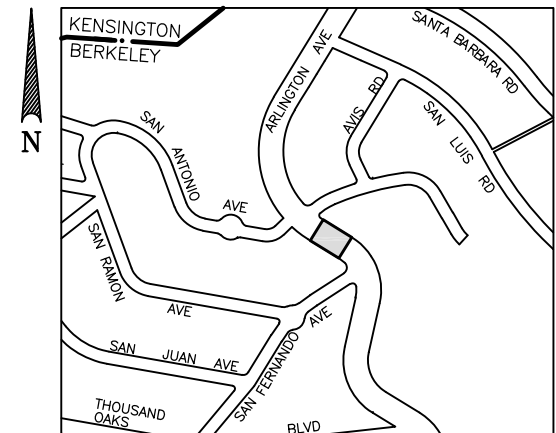
LOCATION 3



LOCATION 4

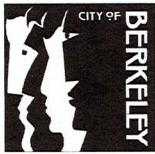


LOCATION 5



LOCATION 6

— CONSTRUCTION AREA



City of Berkeley
Abstract of Bids Worksheet

Finance Department
General Service Division

For: *Sanitary Sewer Rehab*

Specification#: *17-1140-C*

Engineer's Estimate: *1,750,000.00*

Bid Date: *01/08/19*

	Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addendum
1	<i>Dancy + Hardy Inc</i>	<i>1,239,430.00</i>	/		/		/	/	<i>172</i>
2	<i>Westland Contractors</i>	<i>1,274,980.00</i>	/		/		/	/	
3	<i>Delaney Engineering</i>	<i>1,447,375.00</i>	/		/		/	/	
4	<i>Cratus Inc.</i>	<i>1,450,000.00</i>	/		/		/	/	
5	<i>Quiles Construction Inc</i>	<i>1,527,057.00</i>	/		/		/	/	
6	<i>Pacific Touchless Inc</i>	<i>1,520,524.00</i>	/		/		/	/	
7	<i>Express Plumbing</i>	<i>1,715,960.00</i>	/		/		/	/	
8									
9									
10									

Bid Recorder: *Paula Kouszief*

01/08/19

Bid Opener: *[Signature]*

1/8/19

Project Manager: *Priscilla Salas*

1/8/19