



Office of the City Manager

CONSENT CALENDAR
February 26, 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 Euclid Avenue and Regal Road Backline

RECOMMENDATION

Adopt a Resolution approving plans and specifications for the Sanitary Sewer Rehabilitation and Replacement- Euclid Avenue and Regal Road Backline project; 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 \$812,026, which includes a 10% contingency in the amount of \$73,821.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2019 Sanitary Sewer Fund 611-54-623-676-0000-000-472-612310-PWENSR1902.

Low bid by D’Arcy & Harty	\$738,205
10% Contingency	\$73,821
Total construction cost	\$812,026

The contract has been entered into the Contract Management System (CMS) as CMS No. EJ8QE.

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 is sited in the backyards of private properties bound by Regal Road to the north, Euclid Avenue to the southeast, and Cragmont Avenue and Marin Avenue to the west as shown in 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. In addition, existing sewer main support structures at two Codornices Creek crossings were found to be structurally deficient and in urgent need of replacement.

The Euclid Avenue / Regal Road Backline project consists of replacement or rehabilitation of approximately 715 linear feet (0.14 miles) of 6-inch sanitary sewer mains; construction of two crossings over Codornices Creek; rehabilitation or construction of manholes; and other related work. The creek crossings require the installation of welded steel casing pipe and the construction of 4 new concrete pier supports.

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. 18-11234-C) was released on November 6, 2018 and ten non-local bids were received, ranging from a low of \$738,205 to a high of \$1,424,805 (Attachment 3, Bid Results). The engineer's estimate for the project was \$1,100,000. D'Arcy & Harty Construction Inc. (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)

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

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 the amount of infiltration and inflow into the City sanitary sewer system which can negatively affect the San Francisco Bay. The City has acquired a permit from the California Department of Fish and Wildlife (CDFW) so that the City can perform the rehabilitation and replacement of sanitary sewer mains and associated pier construction within CDFW jurisdictional limits.

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 the 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 inflow, sanitary sewer leakages, and backup problems in the sanitary sewer system.

CONTACT PERSON

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Nisha Patel, Manager of Engineering, Public Works, (510) 981-6406
Adadu Yemane, Associate Civil Engineer, Public Works, (510) 981-6413

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 – EUCLID AVENUE AND REGAL ROAD
BACKLINE

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 November 6, 2018 the City released an Invitation for Bids (Specification #18-11234-C) for sanitary sewer rehabilitation and replacement; and

WHEREAS, the City received 10 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. EJ8QE; and

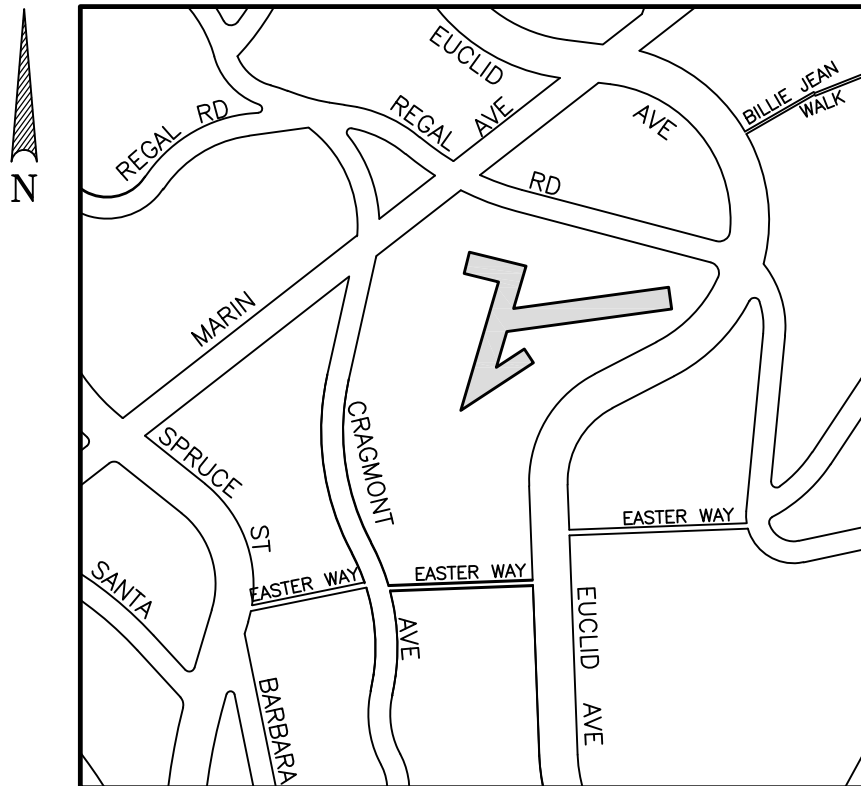
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to approve a contract and any amendments with D'Arcy & Harty Construction, Inc. for Plans and Specifications No. 19-11234-C for the Sanitary Sewer Rehabilitation and Replacement Project until completion of the project located on Euclid Avenue and Regal Road Backline, in an amount not to exceed \$812,026, which includes a 10% contingency in the amount of \$73,821. A record signature copy of said agreement and any amendments will be on file in the Office of the City Clerk.

LOCATION MAP

SANITARY SEWER REHABILITATION AND REPLACEMENT

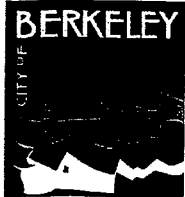
EUCLID AVENUE / REGAL ROAD BACKLINE

SPECIFICATION NO. 18-11234-C



— CONSTRUCTION AREA

ATTACHMENT 2



City of Berkeley
Abstract of Bid Worksheet

ATTACHMENT 3

Finance Department
General Services Division

FOR: *Sanitary Sewer Rehab - Equalized* Spec. # *18-112-54-C* Bid Date: *12/11/18*

	Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addenda
1	<i>Pacific Truckless Inc.</i>	<i>979,679.00</i>	/	/	/	/	/	/	
2	<i>Don Vasey</i>	<i>888,300.00</i>	/	/	/	/	/	/	
3	<i>Quay & Hardy Const. Inc.</i>	<i>738,205.00</i>	/	/	/	/	/	/	
4	<i>Crates Inc.</i>	<i>938,147.00</i>	/	/	/	/	/	/	
5	<i>WR Trade Const. Inc.</i>	<i>1,424,805.00</i>	/	/	/	/	/	/	
6	<i>Westland Contractors</i>	<i>1,194,771.00</i>	/	/	/	/	/	/	
7	<i>Coales Const. Inc.</i>	<i>1,127,557.00</i>	/	/	/	/	/	/	
8	<i>Calif. Truckless Inc.</i>	<i>958,150.00</i>	/	/	/	/	/	/	
9	<i>CRK Engineering</i>	<i>907,387.00</i>	/	/	/	/	/	/	
10	<i>EGB Inc.</i>	<i>1,500,330.00</i>	/	/	/	/	/	/	

Bid Recorder: *[Signature]* *12/11/18*
 Bid Opener: *[Signature]* *12/11/18*

Project Manager: *[Signature]*
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