



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: Mosto Construction for Sanitary Sewer Rehabilitation and Replacement - Urgent Sewer Repair Project FY 2019

RECOMMENDATION

Adopt a Resolution approving plans and specifications for the Urgent Sewer Repair Project FY 2019 with sites located throughout the City; accepting the bid of the lowest responsive and responsible bidder, Mosto Construction; and authorizing 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 \$398,808, which includes a 10% contingency of \$36,255.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2019 budget in Sanitary Sewer Fund 611-54-623-676-0000-000-473-665130-PWENSR1906.

Low bid by Mosto.....	\$362,553
10% contingency	\$36,255
Total construction cost	\$398,808

The contract has been entered into the Contract Management System as CMS No. MAZ5X.

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 includes point (spot) repair of 8-inch, 10-inch and 12-inch diameter sanitary sewer pipes at twenty locations; rehabilitation of approximately 35 linear feet of

8-inch diameter sanitary sewer mains; rehabilitation of manholes; point repair of sanitary sewer laterals; and related work. These repairs will correct existing acute defects including imminent structural failures identified during the FY 2018 sanitary sewer system inspection and condition assessment program.

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 eighty-five working day contract term includes a forty working day performance period, and an additional forty-five working days for project closeout. Finally, a 10% contingency of \$36,255 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 requiring the City to inspect and assess sanitary sewer system condition at a minimum average annual rate of 79,200 feet (based upon a three fiscal year rolling average). Last year, the City inspected approximately 172,207 feet of pipe, and identified acute defects scheduled for repair in FY 2019 with the Urgent Sewer Repair Project FY 2019. The City had a three year annual average of approximately 135,808 linear feet of sewer main inspection at the end of fiscal year 2018.

An Invitation for Bids (Spec. No. 19-11280-C) for the project was released on November 29, 2018, and nine non-local bids were received that ranged from \$362,553 to \$705,250 (Attachment 3). The engineer's project estimate was \$480,000. Mosto Construction (Mosto) of Oakland, California was the lowest responsive and responsible bidder. Previous work and references of Mosto proved satisfactory, thus staff recommends award of the contract to Mosto.

The Living Wage Ordinance does not apply to this project as Department of Public Works construction contracts are subject to State prevailing wage laws. Mosto submitted a Certification of Compliance with the Equal Benefits Ordinance. The Community Workforce Agreement (CWA) does not apply to this contract because the estimated project value does not exceed \$500,000.

ENVIRONMENTAL SUSTAINABILITY

Improvements to the City sanitary sewer system will help protect water quality by reducing the frequency of SSOs, and the amount of inflow and infiltration into the City sanitary sewer system which 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 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 inflow and infiltration, 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
Adadu Yemane, Associate Civil Engineer, Public Works, (510) 981-6413

Attachments:

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

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

CONTRACT: MOSTO CONSTRUCTION FOR SANITARY SEWER REHABILITATION –
URGENT SEWER REPAIR PROJECT FY 2019

WHEREAS, the Sanitary Sewer Project is part of the on-going City Sanitary Sewer Capital Improvement Program to rehabilitate 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 20, 2018, the City released an Invitation for Bids (Specification #19-11280-C) for urgent sewer repair project; and

WHEREAS, the City received nine submissions and Mosto Construction was the lowest responsive and responsible bidder; and

WHEREAS funds are available in the FY 2019 budget in Sanitary Sewer Fund 611, and the contract has been entered as CMS No. MAZ5X.

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, extensions, or change orders with Mosto Construction until completion of the project in accordance with the approved specifications for the Urgent Sewer Repair Project FY 2019 at various locations throughout the City in an amount not to exceed \$398,808, which includes a 10% contingency of \$36,255. A record signature copy of said agreement and any amendments will be on file in the Office of the City Clerk.

LOCATION MAP

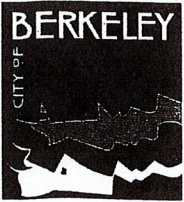
SANITARY SEWER REHABILITATION AND REPLACEMENT

URGENT SEWER REPAIR PROJECT FY 2019

SPECIFICATION NO. 19-11280-C



— CONSTRUCTION AREA



City of Berkeley
Abstract of Bid Worksheet

ATTACHMENT 3

Finance Department
General Services Division

FOR: *Urgent Sewer Rehab FY19* Spec. # *19-11280-C* Bid Date: *12/18/18*

	Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addenda
1	<i>Greenway Eng & Arc</i>	<i>526,642.00</i>	/		/		/	/	
2	<i>Bay Const. Co.</i>	<i>648,713.00</i>	/		/		/	/	
3	<i>Proko Construction</i>	<i>362,553.00</i>	/		/		/	/	
4	<i>CAR Engineering</i>	<i>428,197.50</i>	/		/		/	/	
5	<i>Garage Engineering</i>	<i>428,052.00</i>	/		/		/	/	
6	<i>W R Goble Const.</i>	<i>705,250.00</i>	/		/		/	/	
7	<i>Kerrel Engineering</i>	<i>446,578.00</i>	/		/		/	/	
8	<i>Condes Construction</i>	<i>417,375.00</i>	/		/		/	/	
9	<i>EDS Inc.</i>	<i>564,256.00</i>	/		/		/	/	
10									

Bid Recorder: *Shirley Pappas 12/18/18*
 Bid Opener: *Shirley Pappas 12/18/18*

Project Manager: *Adrian Emmons*
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