



Office of the City Manager

CONSENT CALENDAR

January 26, 2021

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Liam Garland, Director, Department of Public Works
Subject: Contract: Sposeto Engineering Inc. for Central Berkeley Transportation & Infrastructure Improvements Project

RECOMMENDATION

Adopt a Resolution:

1. Approving plans and specifications for the Central Berkeley Transportation & Infrastructure Improvements Project, ("Project"), Specification Nos. 21-11411-C, 21-11416-C, and 21-11417-C;
2. Accepting the bid of Sposeto Engineering Inc., the lowest responsive and responsible bidder; and
3. Authorizing the City Manager to execute a contract with Sposeto Engineering Inc. and any amendments, extensions, and/or change orders until completion of the Project in accordance with the approved plans and specifications, in an amount not to exceed \$3,477,475, which includes a contingency of fourteen percent for unforeseen circumstances.

FISCAL IMPACTS OF RECOMMENDATION

The construction budget for the Central Berkeley Transportation & Infrastructure Improvements Project is \$3,477,475, including contingency. The construction contract for this Project consists of three individual projects that are funded in part by a California Affordable Housing and Sustainable Communities ("AHSC") Infrastructure pass-through grant via BRIDGE Housing in connection with the Berkeley Way HOPE Center project. Funding is available in the FY 2021 budget as identified in the following table.

Project	AHSC Capital Grant- State (Fund 306)	Alameda County Measure BB Bicycle and Pedestrian Program (Fund 135)	Council Budget Referral for University Ave./Grant St. Crossing Improvements GF (Fund 011)
Milvia Street Bikeway Improvements, Specification No. 21-11411-C	\$2,349,596	\$435,733	
Addison Street Bicycle Boulevard, Specification No. 21-11416-C	\$243,073	\$130,652	
University Avenue/Grant Street Bus Bulb and Pedestrian Crossing Improvements, Specification No. 21-11417-C	\$218,421		\$100,000
Total funding for Project construction: \$3,477,475	\$2,811,090	\$566,385	\$100,000

Low Bid by Sposeto Engineering Inc.	\$3,051,249.25
14% Contingency	\$426,225.75
Total Not-To-Exceed Construction Cost	\$3,477,475.00

CURRENT SITUATION AND ITS EFFECTS

On December 10, 2020, four bids were opened for the Project, with bids ranging from \$3,051,249.25 to \$4,056,403.50. The determination of the lowest responsive and responsible bidder was based on the sum of all base bid items, as described in the bid documents. The low bidder is Sposeto Engineering Inc., with a bid of \$3,051,249.25, or \$177,249.25 above the engineer's estimate of \$2.874 million. Staff have identified additional funding to cover the total bid price of the low bidder, plus a 14% contingency, as indicated above. Staff have verified that Sposeto Engineering Inc. is the lowest responsive and responsible bidder.

The Living Wage Ordinance does not apply to this project as Department of Public Works construction contracts are, pursuant to City policy, subject to State prevailing wage laws. Sposeto Engineering Inc. has submitted a Certification of Compliance with the Equal Benefits Ordinance. The Community Workforce Agreement applies to this project because the estimated construction cost exceeds \$500,000. As a result, the successful bidder and all subcontractors will be required to sign an agreement to be bound by the terms of the Community Work Force Agreement.

BACKGROUND

The primary purpose of the Central Berkeley Transportation & Infrastructure Project is to improve the safety of all travelers within the Project limits, with particular emphasis on improving pedestrian and bicyclist safety and transit reliability.

The Project is a part of the City's obligations under AHSC funding requirements for the development of a housing project located at 2012 Berkeley Way ("Berkeley Way project") for homeless and disabled individuals, as well as separate affordable housing units. The City's agreement with BRIDGE Housing Corp. and Berkeley Food and Housing Project, developers of the site, obligates the City to design and construct sustainable transportation infrastructure ("STI") improvements as a condition of funding. The following projects are identified as STI improvements under the agreement:

1. The Milvia Street Bikeway Improvements project ("Milvia project"), Specification No. 21-11411-C, is a Strategic Plan Priority Project that will construct a continuous Class IV Separated Bikeway – a bikeway that is physically protected from motor vehicle traffic – and pedestrian crossing improvements on a 12-block segment of Milvia Street through downtown Berkeley, from Hearst Avenue to Blake Street. The project also includes ADA-accessible on-street customer parking for downtown businesses, new ADA disabled placard blue zones, and new commercial and passenger loading zones. The bicycle and pedestrian improvements are identified as the highest priority Tier 1 project in the City's 2017 Bicycle Plan as a result of data that indicates this segment of Milvia Street has the highest volume of people riding bicycles as well as the highest number of bicycle-involved collisions of any bikeway street in Berkeley. The Milvia project will also construct a roadway median in Martin Luther King Jr. Way at Addison Street. This new median will both calm traffic in conjunction with the proposed new bicycle boulevard on Addison Street (described below) and discourage motorists from using Addison Street as a through route.
2. The Addison Street Bicycle Boulevard project ("Addison project"), Specification No. 21-11416-C, is also identified as a Tier 1 Priority Project in the City's 2017 Bicycle Plan. It will construct:
 - A Class 3B bicycle boulevard along an approximately 0.6-mile segment of Addison Street, from Sacramento Street to Milvia Street,
 - Pedestrian crossing improvements consisting of crosswalk markings and new pedestrian lighting at selected intersections, and
 - Rectangular rapid flashing beacons ("RRFBs") on Martin Luther King Jr. Way at Addison Street to improve crossing safety for bicyclists and pedestrians.
3. The University Avenue/Grant Street Bus Bulb and Pedestrian Crossing Improvements project ("University/Grant project"), Specification No. 21-11417-C, will construct:

- A new bus bulb, bus shelter, and bench at the northwest corner of the University Avenue/Grant Street intersection to improve the reliability of transit along the University Avenue corridor, and
 - RRFBs on University Avenue at Grant Street to improve crossing safety for bicyclists and pedestrians. The crossing improvements are identified as Priority Project #17 in the City's Pedestrian Plan and addresses a City Council referral for intersection safety improvements at this location.
4. Bus Bulb on University Avenue at Sacramento Street will construct a new bus bulb at the northeast corner of this intersection intended to improve the reliability of transit along the University Avenue corridor. The construction of this bus bulb is included in the City's Sacramento Complete Streets project (Specification No. 20-11379-C), as the limits of these projects coincide with each other and allow for efficiencies in construction. Council awarded the construction contract for the Sacramento Complete Streets project on April 14, 2020, and the project is currently in the construction phase.

The first three STI projects described above were combined together into the Central Berkeley Transportation & Infrastructure Project to allow City staff and the contractor to more efficiently manage and construct the work, as these projects have the same scheduled construction completion by the end of calendar year 2021.

The Central Berkeley Transportation & Infrastructure Improvements Project advances the City's Strategic Goals to (1) provide state-of-the art, well-maintained infrastructure, amenities, and facilities and (2) create a resilient, safe, connected, and prepared city.

Community Engagement

City staff made a concerted effort to engage the public for input during the conceptual and detailed design phases of the Project.

In 2015, the City partnered with Bike East Bay to present a day-long protected bikeway demonstration using temporary traffic control materials on Milvia Street between Center Street and Allston Way. City staff and consultants subsequently conducted three "pop-up" tabling events in September 2018; two Public Open Houses, in January 2019 and in October 2019; met with the Downtown Business Association and local merchant stakeholders in October 2019 and July 2020; met with the Berkeley Unified School District in July and August 2020; reviewed the design with the Berkeley Fire Department; and presented the project to the Berkeley Commission on Disability. On October 17, 2019, City staff presented the conceptual design of the Milvia project to the Berkeley Transportation Commission, which voted unanimously to recommend approval of the conceptual design by the Berkeley City Council (see next section for City Council approval). On September 1, 2020, City staff hosted an online community meeting for the Addison project to obtain input on the overall project concept, including proposed traffic calming features. In July and August 2020, City staff engaged with businesses near the University/Grant project area to solicit input on the proposed bus bulb and associated

curbside parking changes, including relocation of a commercial loading zone; the resulting project concept was presented to the neighboring community via a postcard mailer in October 2020.

City Council Actions

On January 22, 2019, City Council authorized the City Manager to negotiate and enter into an agreement for approximately \$13.5 million in AHSC loan funds for the construction of the Berkeley Way project and \$5 million in AHSC grant funds for the STI improvements described above. The agreement was executed on February 6, 2019, under Contract No. 4190005, and the conceptual design and public engagement phases of the Project began thereafter.

On December 3, 2019, City Council adopted a resolution approving the conceptual design of the Milvia project, including installation of a protected bikeway and the removal or modification of traffic lanes and on-street parking, and specified changes from two-way to one-way traffic operations, as necessary, and directing the City Manager to direct staff to proceed with the detailed engineering design of the project. The detailed design of the Project was subsequently completed in November 2020.

Potential Additional Landscaping Work

Bidders were requested to provide pricing for potential work, including landscaping within various bikeway buffers along the Milvia project corridor, in response to Council members expressing interest in incorporating landscaping to enhance the appearance of the Milvia project. Early concepts for the Milvia Bikeway project contemplated significant landscaping in conjunction with changes to drainage, and would have had a total project cost on the order of \$6,000,000 to \$8,000,000, which significantly exceeds the available grant funding.

As the detailed design of the Project progressed, it became apparent to City staff that based on engineer's estimates, the Project budget would be insufficient to cover the costs of the proposed landscaping work, which includes in-ground, cast-in-place concrete bikeway buffers with a variety of low-height plants that are intended to preserve sight lines. In response to City Council and public comments, City staff also looked for appropriate locations where new trees would not obstruct sight lines or be in conflict with existing underground utilities or other elements of the Project, but no locations for new trees could be identified due to the density of existing development on Milvia Street.

Based on bidders' prices, the one-time capital cost to install the proposed landscaping is about \$600,000, which includes a contingency of ten percent. This work would need to be negotiated with the contractor and would be performed as a change order to the construction contract, thereby depleting the available construction contingency. In addition, City staff estimates a monthly maintenance cost to the City of \$2,000 to establish and maintain the landscaping and associated planters. The current Project budget is insufficient to cover the cost to install landscaping, and so the recommended Resolution

by Council is to award the construction contract without the work of the additive alternate bid items.

ENVIRONMENTAL SUSTAINABILITY

The purpose of the AHSC program is to reduce greenhouse gas emissions in California, and all of the STI projects identified above will help accomplish that goal.

Increasing cycling and walking would help the City achieve the 2009 Berkeley Climate Action Plan Policy 5.a that calls for expanding and improving Berkeley's bicycle and pedestrian infrastructure. The Plan sets targets of reducing transportation emissions 33 percent below year 2000 levels by 2020, and 80 percent below year 2000 levels by 2050. The Plan further states that transportation modes such as public transit, walking, and bicycling must become the primary means of fulfilling the City's mobility needs in order to meet these targets.

RATIONALE FOR RECOMMENDATION

The three STI projects comprising the Central Berkeley Transportation & Infrastructure Project were previously identified in existing City plans, including a Strategic Plan Priority Project, two Tier 1 projects from the Bicycle Plan, a high-priority project from the Pedestrian Plan, and a project from the Berkeley Strategic Transportation Plan. The AHSC program is providing grant funding for the design and construction of the Project and is also providing funding for the Berkeley Way project.

The Project will close gaps in the City's Low-Stress Bikeway Network by (1) creating a protected bikeway on the City's busiest bikeway street, Milvia Street and (2) creating a bicycle boulevard on an already heavily-used street for biking, Addison Street, which connects to the downtown area. The Project will also improve pedestrian crossing safety by installing sidewalk bulbouts, new crosswalk markings, and new pedestrian lighting at selected locations, as well as RRFBs on Martin Luther King Jr. Way (at Addison Street) and University Avenue (at Grant Street). The Project will also improve transit reliability and safety by constructing a bus bulb at the far side of the University Avenue/Grant Street intersection in the westbound direction and will also improve access to commercial loading zones and install accessible curbside parking spaces on Milvia Street.

Construction of the Project requires contracted services, as the City does not possess the in-house staff or equipment resources needed.

ALTERNATIVE ACTIONS CONSIDERED

1. Council could opt not to take the proposed actions at this time and instead defer the item to a future Council agenda. Such a decision would delay the construction of the Project and could cause the City to fail to meet its AHSC grant funding obligation to complete construction by the end of May 2022 which would ultimately endanger the delivery of not only this project, but also the Berkeley Way HOPE project, as both projects are funded by the same AHSC grant.

2. Council could identify funding source(s) to cover the estimated one-time additional capital cost of \$600,000 to install landscaping along the Project corridor and the anticipated monthly maintenance cost of \$2,000. Council could also elect to reduce the scope of the landscaping work by restricting it to the three largest planters, located in front of City Hall, which would result in an estimated one-time additional capital cost of \$250,000 and an anticipated monthly maintenance cost of \$900.

If funding source(s) are established, City staff would (1) negotiate a change order with the Contractor to include the desired amount of landscaping work and (2) enter into a separate contract with a landscape maintenance contractor to perform periodic maintenance of the planters.

CONTACT PERSON

Farid Javandel, Transportation Manager, Public Works Department (510) 981-7061
Kenneth Jung, Associate Civil Engineer, Public Works Department (510) 981-7028

Attachments:

- 1: Resolution
- 2: Site Map
- 3: Abstract of Bids

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

CONTRACT: SPOSETO ENGINEERING INC. FOR CENTRAL BERKELEY
TRANSPORTATION & INFRASTRUCTURE IMPROVEMENTS PROJECT

WHEREAS, completion of the Central Berkeley Transportation & Infrastructure Improvements Project will provide improvements intended to increase pedestrian and bicyclist safety at the following locations: (1) Milvia Street, from Hearst Avenue to Blake Street, (2) Addison Street, from Sacramento Street to Milvia Street, and (3) the intersection of University Avenue and Grant Street; and

WHEREAS, completion of the Central Berkeley Transportation & Infrastructure Improvements Project will also construct a bus bulb and associated transit amenities at the intersection of University Avenue and Grant Street that are intended to increase the reliability of transit along the University Avenue corridor; and

WHEREAS, a Strategic Plan Priority Project and two Tier 1 projects from the City's Bicycle Plan are included in this Project; and

WHEREAS, a priority project from the City's Pedestrian Plan is included in this Project; and

WHEREAS, the City has received funding from the California Affordable Housing and Sustainable Communities ("AHSC") Infrastructure pass-through grant via BRIDGE Housing in connection with the Berkeley Way HOPE Center project for the work of this Project; and

WHEREAS, the City has neither the staff nor the equipment needed to undertake the construction of this Project; and

WHEREAS, on November 9, 2020, the City released an Invitation for Bids (Specification Nos. 21-11411-C, 21-11416-C, and 21-11417-C) for the work of this Project; and

WHEREAS, Sposeto Engineering Inc. was found to be the lowest responsive and responsible bidder; and

WHEREAS, funds are available in the FY 2021 budget in the Capital Grants - State Fund (Fund 306), the Measure BB Bicycle and Pedestrian Fund (Fund 135), and the General Fund (Fund 011); and

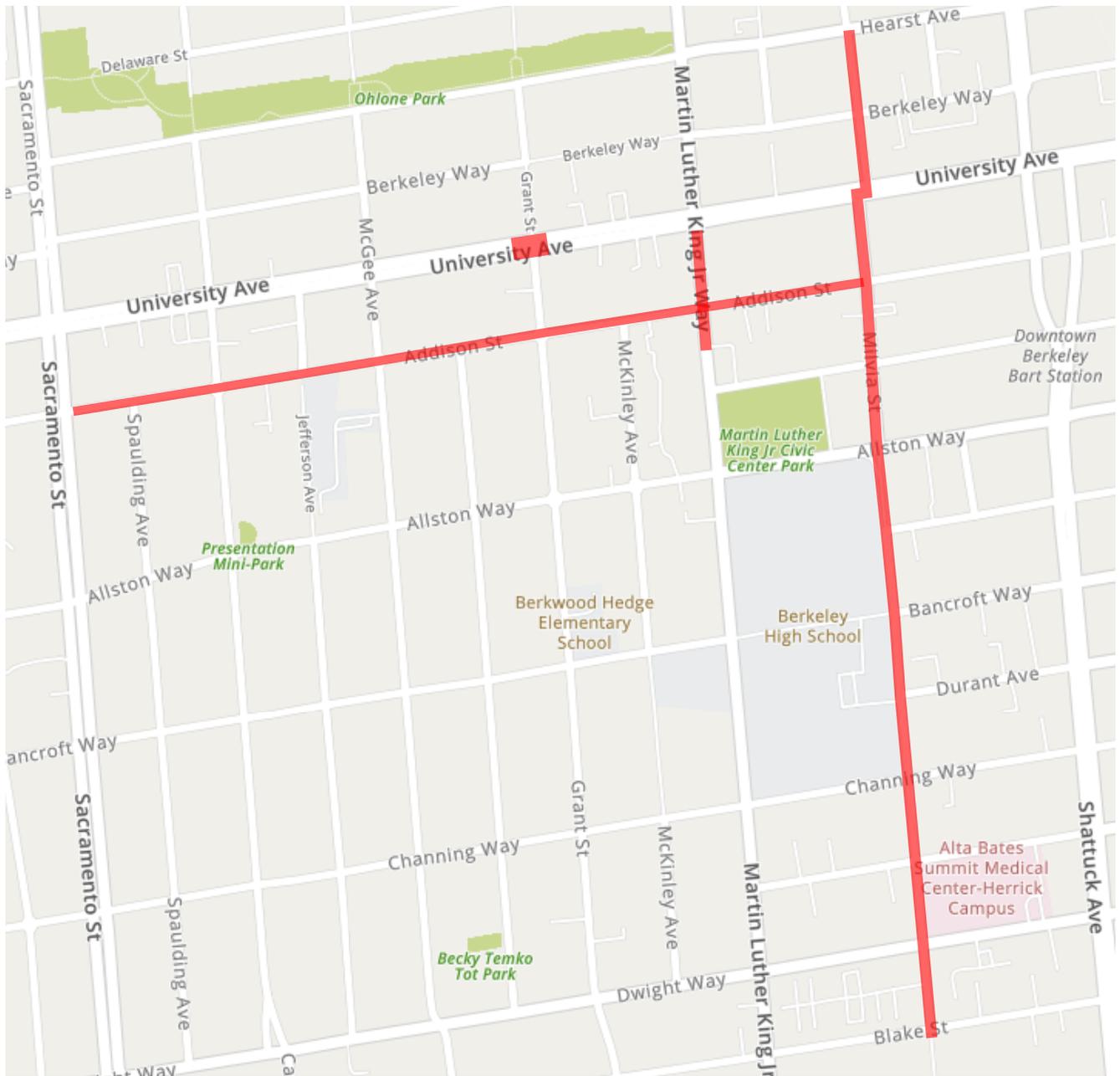
WHEREAS, no other funding is required, and no other project will be delayed due to this expenditure.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specifications for the Central Berkeley Transportation & Infrastructure Improvements Project (Specification Nos. 21-11411-C, 21-11416-C, and 21-11417-C) are approved.

BE IT FUTHER RESOLVED that the Council of the City of Berkeley accepts the bid of Sposeto Engineering Inc. as the lowest responsive and responsible bidder.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions, and/or change orders until completion of the project in accordance with the approved plans and specifications with Sposeto Engineering Inc. in an amount not to exceed \$3,477,475, which includes a fourteen percent construction 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.

Figure 1 - Site Map
Central Berkeley Transportation & Infrastructure Improvements Project
Spec. Nos. 21-11411-C, 21-11416-C, & 21-11417-C



Legend:

 Approximate locations of project work



Finance Department
General Services Division

City of Berkeley
Abstract of Bids Worksheet

For: Central Berkeley Transportation & Infrastructure Improvements

Specification No.: 21-11411-C, 21-11416-C, & 21-11417-C

Available Budget/Engineer's Estimate: \$2,874,000

Bid Date: December 10, 2020

	Bidders	Subtotal for Package A (Base Bid Items Only)	Subtotal for Package B	Subtotal for Package C	Total	Addendum	Exp. & Financial Quals	Taxpayer ID Report	Opp. States	Nuclear Free	EBO	Sanctuary City	Bid Bond
1	Redgwick Construction	\$ 2,675,005.00	\$ 326,329.60	\$ 322,495.50	\$ 3,323,830.10	x	x	x	x	x	x	x	x
2	Bay Cities Paving & Grading	\$ 2,713,788.25	\$ 297,281.30	\$ 371,701.00	\$ 3,382,770.55	x	x	x	x	x	x	x	x
3	Ray's Electric	\$ 3,238,968.50	\$ 432,806.00	\$ 384,629.00	\$ 4,056,403.50	x	x	x	x	x	x	x	x
4	Sposeto Engineering	\$ 2,422,025.35	\$ 339,750.00	\$ 289,473.90	\$ 3,051,249.25	x	x	x	x	x	x	x	x

Bid Recorder: S/Roop Soorma 12/10/2020

Bid Opener:  12/10/2020

Project Manager:  12/10/2020

