



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
May 7, 2024

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Scott Ferris, Director, Department of Parks, Recreation, and Waterfront
Subject: Construction Contract: THE DUTRA GROUP for the Berkeley Marina Dredging Project

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager during recess:

1. Approving the plans and specifications for the Berkeley Marina Dredging Project (Bid Specification No. 24-11644-C); and
2. Accepting the bid of THE DUTRA GROUP as the lowest responsive and responsible bidder on the Project; 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, with THE DUTRA GROUP, for the Berkeley Marina Dredging Project, in an amount not to exceed \$4,843,566, which includes a contract amount consisting of base bid of \$4,612,920 and a 5% contingency in the amount of \$230,646.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

The Berkeley Marina Dredging Project is funded by an FY2022 State Budget Allocation and administered by State Coastal Conservancy (SCC) which requires that the construction be completed by November, 2025. The current project schedule involves work in the waters of the San Francisco Bay, which has a very tight work window each year as per regulatory agency requirements (August through November). Awarding this construction contract as soon as possible will significantly increase the City's ability to complete the work by the funding deadline of November 2025.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available from the FY 2024 CIP-Internal Loan. Funding will be recommended for appropriation in FY 2024 through the second amendment to the appropriations ordinance in the State Coastal Conservancy Grant (Fund 606). No other funding is required, and no other projects will be delayed due to this expenditure.

THE DUTRA GROUP CONSTRUCTION (lowest bid)	\$4,612,920
5% Contingency	\$230,646
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Total construction cost	\$4,843,566
FY2024 CIP Internal Loan	\$380,646
FY2024 State Coastal Conservancy Grant.....	\$4,462,920
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Total construction cost	\$4,843,566

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Marina Dredging Project (Project) is a Strategic Plan Priority Project, advancing our goal of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

The City conducted a competitive Invitation For Bid (IFB) process in January, 2024, and bid the opening was on March 7, 2024. One (1) bid was received from The Dutra Group of San Rafael, CA with a base bid of \$ 4,612,920 (see Attachment 2: Bid Abstract). The City has determined that The Dutra Group meets the California public construction code definition of lowest responsible and responsible bidder. References for The Dutra Group proved satisfactory. Staff therefore recommends the contract be awarded to The Dutra Group.

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. Contractor will submit a Certification of Compliance with the Equal Benefits Ordinance. The Community Workforce Agreement applies to this project because the estimated value of the project 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 Agreement. Construction is expected to begin in August, 2024 and be completed by December, 2024.

BACKGROUND

The Berkeley Marina is one of the largest marinas in the East Bay. It is a highly valued community resource offering recreational opportunities and open space amenities for both local residents and visitors throughout the Bay Area. It contains a range of facilities: a hotel, restaurants, marina-related offices, 1,000 boat slips, the Berkeley Pier, and the trails and open space at Cesar Chavez Park and the state’s McLaughlin Eastshore State Park.

Due to the accumulation of sediment over time, the north and central entrances at the Marina Harbor Basin have become too shallow for most vessels to access. The south entrance has become the only ingress and egress to support the City’s over 1,000 boat slips at Harbor Basin. With the last maintenance dredging at the south entrance

approximately 35 years ago, the south entrance is now becoming a navigational challenge during low tides for larger boats.

The Marina Dredging Project will safe and unimpeded access to all vessels at the Berkeley Marina by restoring and enhancing the depths of the Marina ingress and egress routes. The Project will perform maintenance dredging at the entrances at the existing two breakwaters, at the main fairway, and at Docks C, D, E, H, I, & O. These areas will be dredged to design depths ranging between -8.0 ft to -10.0 ft at Mean Low Low Water (MLLW). Over 62% of the dredged material will be placed at beneficial reuse sites for wetland restoration projects in the SF Bay Delta Estuary region. The remaining dredged material is to be disposed at the state and federally-authorized Alcatraz site, or San Francisco Deep Ocean site west of the Farallon Islands to comply with requirements set by the regulatory agencies.

The original yacht harbor was created in 1937 as a federal Works Progress Administration (WPA) project. The current main harbor in its current form dates to the late 1960's when the City enhanced the yacht harbor with additional dredging, filled in the upland areas around the harbor borders, and leased out the newly-fill upland parcels to commercial entities (restaurants, hotel, boat repair yard, etc.) to help repay the construction loans from the California Department of Boating and Waterways.

Over the past 35 years, three episodes of maintenance dredging were performed:

- 1) Emergency dredging was performed in the south entrance area after the 1989 Loma Prieta Earthquake to allow for emergency FEMA ferry service.
- 2) In 2009, maintenance dredging was performed during the replacement of Docks F and G and Docks H and I.
- 3) In 2010, maintenance dredging occurred during the Dock B & C replacement project.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The construction contract includes requirements to comply with the City's Environmentally Preferable Purchasing Policy. The work will also comply with the conditions contained in the Bay Conservation Development Commission (BCDC) Permit, US Army Corps of Engineers Permit including consultation with NOAA's Nation Marine Fisheries Service, and San Francisco Bay Regional Water Quality Control Board Permit.

RATIONALE FOR RECOMMENDATION

This project is part of the City's ongoing effort to update and maintain the deteriorated infrastructure at the Berkeley Marina. The project will help the City advance Strategic Plan Long-term goal number 1 to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

Construction Contract - The Dutra Group for Berkeley Marina Dredging

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ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director, Parks Recreation & Waterfront, 981-6700

Nelson Lam, Supervising Civil Engineer, PRW, 981-6395

Attachments:

1: Resolution

2: Bid Abstract Summary

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

CONSTRUCTION CONTRACT: THE DUTRA GROUP FOR THE BERKELEY MARINA
DREDGING PROJECT

WHEREAS, boating access at the Berkeley Marina Harbor Basin has been impeded due to sediment accumulation on the sea floor at the entry points, fairways and under the docks over time. Maintenance dredging is required to restore the original design depths needed to provide safe and unimpeded access.

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this project; and

WHEREAS, the City conducted a competitive Invitation For Bid (IFB) process in January, 2024, and bid the opening was on March 7, 2024. One (1) bid was received from The Dutra Group of San Rafael, CA with a base bid of \$ 4,612,920 per the Bid Abstract). The City has determined that The Dutra Group meets the California public construction code definition of lowest responsible and responsible bidder. References for The Dutra Group proved satisfactory; and

WHEREAS, funding is available from the FY 2024 CIP-Internal Loan. Funding will be recommended for appropriation in FY 2024 through the second amendment to the appropriations ordinance in the State Coastal Conservancy Grant (Fund 606).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager to: approve the Plans and Specification No. 24-11644-C for the Berkeley Marina Dredging Project; execute a contract and any amendments, extensions, or change orders until completion of the project in accordance with the approved plans and specifications with THE DUTRA GROUP for the Berkeley Marina Docks D & E Replacement Project in an amount not to exceed \$4,843,566, which includes a contract amount consisting of base bid of \$4,612,920 and a 5% contingency in the amount of \$380,646 for unforeseen circumstances. A record signature copy of the agreement and any amendments to be on file in the Office of the City Clerk.



City of Berkeley
Abstract of Bid Worksheet

Finance Department
General Services Division

Bid Date: 3.7.2024
Spec. # 24-11644-C

FOR: [Marina Dredging Project](#)

		required w/ bid							
Bidders	Base Bid	Additive Bid	Addendum (1)	Bid Bond	Reg / Exp	Subcontractors	Non-Collusion	Certs	
1 The Dutra Group	\$4,612,920.00	\$4,020,940.00	x	x	x	x	x	x	

Bid Recorder:	Darryl Sweet	<i>Darryl Sweet</i>	Date	Mar 7, 2024
Bid Opener:	Josh Roben	<i>Josh Roben</i> <small>Josh Roben (Mar 7, 2024 15:00 PST)</small>	Date	Mar 7, 2024
Project Manager:	Taylor Lancelot	<i>Taylor Lancelot</i>	Date	Mar 7, 2024

Attachment 2 - Bid Abstract