



Office of the City Manager

CONSENT CALENDAR  
July 09, 2024

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Terrance Davis, Director, Department of Public Works  
Subject: Contract: Bay Cities Paving & Grading, Inc. for Street Rehabilitation FY 2024 Project

RECOMMENDATION

Adopt a Resolution:

1. Approving plans and specifications for the Street Rehabilitation FY 2024 Project, Specification No. 24-11624-C; and
2. Accepting the bid of the lowest responsive and responsible bidder, Bay Cities Paving & Grading, Inc. 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 in an amount not to exceed \$12,361,800.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available from the Street Capital Improvement Program across multiple capital funds in the FY 2024 Engineering Streets CIP budget, and a contribution from the Zero Waste Fund 601 allocated to paving will be available in FY 2025. No other funding is required, and no other projects will be delayed due to this expenditure.

FY 2024 Street Capital Improvement Program Expenses

Low bid by Bay Cities Paving & Grading, Inc.	\$11,238,000
10% Contingency	\$1,123,800
<b>Total construction cost</b>	<b>\$12,361,800</b>

FY 2024 Street Capital Improvement Program Funds

State Transportation Tax (127)	\$1,076,476
Road Maintenance & Rehabilitation Account/SB1 (127)	\$1,700,000
Measure B Local Streets & Roads (130)	\$1,380,537
Measure F Vehicle Registration Fee (133)	\$155,000
Measure BB Sales Tax (134)	\$3,501,709
Capital Improvement Fund (501)	\$3,548,078
Zero Waste Fund (601)	\$1,000,000
<b>Total construction funding</b>	<b>\$12,361,800</b>

### CURRENT SITUATION AND ITS EFFECTS

The Street Rehabilitation FY 2024 Project is a Strategic Plan Priority Project, advancing our goal of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

The Street Rehabilitation FY 2024 Project (Specification No. 24-11624-C) was released for bids on May 02, 2024, and bids were opened on May 23, 2024. Three non-local bids were received, from a low of \$11,238,000 to a high of \$13,288,111.96 (see Attachment 3, Abstract of Bids).

The low bidder was Bay Cities Paving & Grading, Inc. (Bay Cities), with a bid of \$11,238,000, which is below the Engineer's estimate of \$12.65 million. Staff has verified that Bay Cities is the lowest responsive and responsible bidder. This project includes a 10% contingency, which brings the total potential contract amount up to the requested \$12,361,800. Staff recommends that a contract for this project be awarded to Bay Cities Paving & Grading, Inc.

### BACKGROUND

Streets throughout Berkeley are scheduled for rehabilitation as part of the City's Five-Year Street Rehabilitation Plan (Five-Year Plan). Berkeley maintains a rolling Five-Year Plan for resurfacing and repaving City streets. Staff develops the plan using a Pavement Management System supported by the Metropolitan Transportation Commission. The plan was updated for Fiscal Years 2024 through 2028 by Resolution 71,120-N.S., which was adopted by Council on November 28, 2023. The Five-Year Plan aims to complete 46.73 miles of street rehabilitation with nearly \$90 million in funding over five years. Funding sources primarily include the State Transportation Tax, Road Repair, Accountability Act, and Measure BB. Additionally, a new annual allocation of \$1 million from the Zero Waste Fund for FY 2024 to FY 2026, increasing to \$2 million for FY 2027 and FY 2028, will offset the impact of Zero Waste collection vehicles on the City's pavement.

The Street Rehabilitation and Repair Policy created by Resolution 55,384-N.S. and most recently updated by 70,204-N.S., includes equity as an essential criteria for developing the plan and consists of the following:

- To the extent financially practical, implementing the paving plan shall advance City plans, e.g., the Complete Streets Policy, Vision Zero Policy and Action Plan, Pedestrian Plan, and Bicycle Plan.
- Rehabilitation of contiguous sections of roadway rather than one block at a time shall be preferred when feasible.
- Strive to maintain all roads within the primary transportation network (arterials, collectors, bus routes, existing and proposed low-stress bikeway network, and equity zone) at a target Pavement Conditions Index (PCI) of 70, as measured on a scale of 1 to 100.
- The benefits of good infrastructure shall be distributed equitably throughout the entire community regardless of the income, political influence, or demographic

characteristics of the residents of each area. The newly established Equity Zone shall be prioritized to meet an average PCI of 70 sooner than the remainder of the City.

- Coordinating sewer, water, electrical, telecom, undergrounding, and other activities.

This contract is for the Paving of approximately 10 miles of City streets. It consists of rehabilitation and surface sealing of selected streets, as shown in Attachment 2: Location Map & List of Streets (taken from the City's Five-Year Plan adopted by Council in November 2023).

In addition to street pavement, the project incorporates other improvements to selected streets in compliance with the Berkeley Complete Streets Policy (Resolution No. 65,978-N.S.), the Americans with Disabilities Act, and stormwater best management practices. Among the improvements included in Complete Streets are the Bicycle Plan and Pedestrian Master Plan recommendations for installing a traffic circle in Virginia/California and a traffic diverter in Virginia/McGee. Additional infrastructure repairs are also included in this project. All non-repaving related costs represent approximately 10-15% of the construction costs.

The project plans and specifications underwent planning, coordination with outside utility companies, preliminary cost estimates, field investigations, surveys, and extensive design before being released for bid.

The plans and specifications are on file in the Public Works Department. In accordance with the California Environmental Quality Act (CEQA) requirements, this project has been determined to be categorically exempt because it consists of maintenance of existing streets and does not expand their use beyond existing conditions.

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. Bay Cities Paving & Grading, Inc. has submitted a Certification of Compliance with the Equal Benefits Ordinance. The Community Workforce Agreement applies to this project because its estimated value exceeds \$500,000. As a result, the contractor and all subcontractors will be required to sign an agreement to be bound by the terms of the Agreement.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The project includes using rubberized cape seal treatments, which help divert tire waste from landfills, thus promoting recycling and reducing environmental waste. Additionally, rubberized cape seals lessen the carbon footprint associated with pavement maintenance by enhancing the longevity of road surfaces, thereby decreasing the frequency of future repairs and the associated emissions from construction activities.

RATIONALE FOR RECOMMENDATION

This street repair project is part of the City's annual program to rehabilitate deteriorated streets. The work requires contracted services, as the City does not possess the in-house labor or equipment resources necessary to complete it.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered for this pavement rehabilitation project. The City could choose not to proceed with it. However, the street pavement would then continue to deteriorate, drainage improvements would not be made, and Complete Streets, Vision Zero and bicycle and pedestrian elements would not be installed, affecting the community's and others' use of the street.

CONTACT PERSON

Wahid Amiri, Deputy Director, Public Works, (510) 981-6396  
Ronald A. Nevels, Manager of Engineering, Public Works (510) 981-6439  
Srinivas Muktevi, Supervising Civil Engineer, Public Works (510) 981-6402

Attachments:

- 1: Resolution
- 2: Location Map & List of Streets for Project
- 3: Abstract of Bids

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

CONTRACT: BAY CITIES PAVING & GRADING, INC. FOR  
STREET REHABILITATION FY 2024 PROJECT

WHEREAS, the Street Rehabilitation FY 2024 Project is part of the City's ongoing Street Capital Improvement Program to rehabilitate deteriorated streets located throughout the City; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this Street Rehabilitation FY 2024 Project; and

WHEREAS, an invitation for bids was duly advertised, and Bay Cities Paving & Grading, Inc. was the lowest responsive and responsible bidder; and

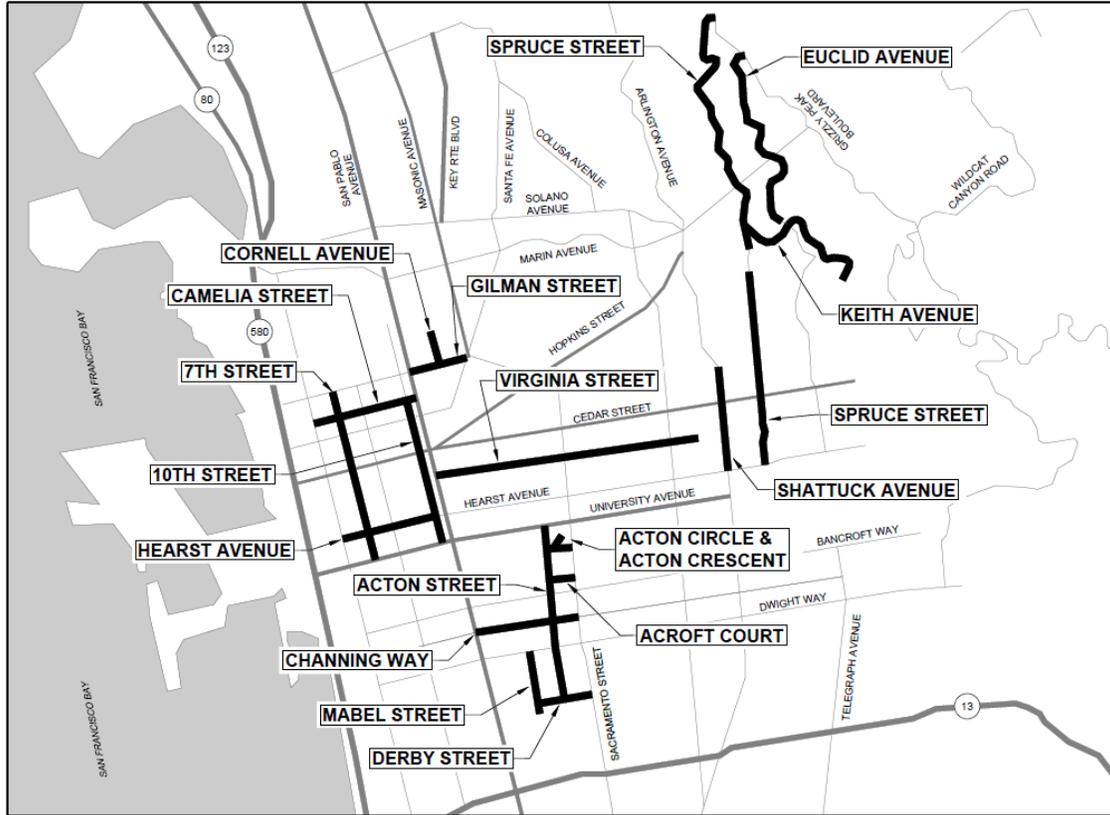
WHEREAS, funding is available in the FY 2024 budget in the Street Capital Improvement Program State Transportation Tax (Fund 127), Road Maintenance & Rehabilitation Account (127-SB1), Measure B Sales Tax (Fund 130), Measure F Vehicle Registration Fee (Fund 133), Measure BB Sales Tax (Fund 134), Capital Improvement Fund (Fund 501), and in FY 2025 from the Zero Waste Fund (601).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specification No. 24-11624-C for the Street Rehabilitation FY 2024 Project are approved.

BE IT FURTHER RESOLVED that the construction contract is awarded to Bay Cities Paving & Grading, 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, or change orders until completion of the project in accordance with the approved plans and specifications with Bay Cities Paving & Grading, Inc. for the Street Rehabilitation FY 2024 Project, in an amount not to exceed \$12,361,800, 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.

Street Rehabilitation FY 2024  
Attachment No. 2: Location Map & List of Streets



Street	From	To
7th St	Harrison St	University Ave
10th St	Camelia St	University Ave
Acton St	University Ave	Ward St
Acton Cir	Acton Crescent	Dead End
Acton Crescent	Acton St	Dead End
Acroft Ct	Acton St	East End
Camelia	6th St	San Pablo Ave
Cornell Ave	Gilman St	City Limit
Channing Wy	San Pablo	Sacramento St
Derby St	Mabel St	Sacramento St
Euclid Ave	Grizzly Peak Blvd	Cragmont Ave
Gilman St	San Pablo Ave	Santa Fe Ave
Hearst Ave	6th St	San Pablo Ave
Keith Ave	Euclid Ave	Shasta Rd
Mabel St	Dwight Wy	Ward St
Shattuck Ave	Vine St	Hearst Ave
Spruce St	Grizzly Peak Blvd	Arch St
Spruce St	Eunice St	Hearst Ave
Virginia St	San Pablo Ave	MLK Jr Wy



City of Berkeley  
Abstract of Bid Worksheet

Finance Department  
General Services Division

Bid Date: 5/23/2024

FOR: [Street Rehabilitation FY 2024](#)

24-11624-C

required w/ bid

	Bidders	Base Bid	Bid Bond	Addendum (1)	Experience - Fin. Qual.	Taxpayer ID	Opp.States	Nuclear Free	EBO	Sanctuary City
1	Bay Cities Paving & Grading, Inc.	\$ 11,238,000.00	X	X	X	X	X	X	X	X
2	DeSilva Gates Construction	\$ 11,970,970.00	X	X	X	X	X	X	X	X
3	Ghilotti Construction Company	\$ 13,288,111.96	X	X	X	X	X	X	X	X
4										
5										
6										
7										
8										
9										
10										

Bid Recorder: Josh Roben

Josh Roben (May 23, 2024 16:09 PDT)

Date May 23, 2024

Bid Opener: Josh Roben

Josh Roben (May 23, 2024 16:09 PDT)

Date May 23, 2024

Project Manager: Randy (Wai) Kong

Wai Kong (May 23, 2024 16:07 PDT)

Date May 23, 2024

# 24-11624-C Bid Abstract

Final Audit Report

2024-05-23

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