



Office of the City Manager

RECESS ITEM
CONSENT CALENDAR
 September 24, 2024

To: Honorable Mayor and Members of the City Council

From: LaTanya Bellow, Interim City Manager

Submitted by: Terrance Davis, Director, Department of Public Works

Subject: Contract: B-Bros Construction Inc. for Temporary Stabilization of Stair Tower Windows at 2180 Milvia Street

RECOMMENDATION

Adopt a Resolution approving the City Manager's emergency authorization of a contract with B-Bros Construction Inc. to make necessary repairs to the windows in the secondary egress stairwells in 2180 Milvia Street in an amount not to exceed \$400,000.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

On or about July 11, 2024, Public Works staff was alerted to potential hazards caused by windows in the secondary egress stairwells in 2180 Milvia Street. Glass from the windows could fall from building, with people and property at risk of being hit by glass.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available out of the baseline FY 25 Facilities CIP Deferred Maintenance/Emergency Projects budget from the Capital Improvement Fund 501. Not making the windows and the area below and around them safe could make the City of Berkeley liable for any death, injury, damage or other harm caused by falling glass.

CURRENT SITUATION AND ITS EFFECTS

On or about July 11, 2024, Public Works staff was alerted to potential hazards caused by windows in the secondary egress stairwells in 2180 Milvia Street. After an inspection with Public Works and Build Safety Staff on Thursday morning, July 11, City staff developed the following action plan to help mitigate any potential safety issues.

- **Site:** 2180 Milvia Street, secondary egress stairwell towers near the parking lot
- **Hazard:** Glass from windows could fall outside the building
- **Risk:** Passersby outside the building could be at risk of falling glass; City Staff can still safely work inside the building, and members of the public can still go inside; this level of risk does not require the shutdown of 2180 Milvia Street

Public Works has contract B-Bros Construction Inc. to furnish labor and materials in accordance with the City's plan and specifications for necessary repairs to the windows in the secondary egress stairway at 2180 Milvia Street.

Public Works staff will continue to provide updates as the work makes progress.

BACKGROUND

In July, Public Works worked through emergency design procedures with the Planning Department to install fencing and safety nets to secure and mitigate the hazard. This allowed staff to continue their engineering investigation and determine the appropriate steps to repair this landmark building.

Immediate course of action in July –

1. Public Works and other City Staff:
 - a. Installed temporary safety barriers, caution tape and channelizers to keep public and employees clear of the zones; and,
 - b. Accelerated emergency mitigation design work and obtain mitigation plan permit approval from Planning.
2. Public Works contracted to temporarily install:
 - a. Scaffolding for the mitigation while the design is being finalized;
 - b. Fencing to make the area under the windows safe; and,
 - c. Netting to contain glass in the event that it does fall, preventing it from falling to the ground and possibly injuring people and causing damage.

Public Communication – City Staff and visitors to the 2180 Milvia Street building have been instructed to use the secondary stairwell only as an emergency egress. Staff put up:

- Notices that state the secondary stairwell is for emergency egress only; and,
- Signage to guide people in the event of an emergency evacuation.

This hazard does not affect the primary stairwell inside the building (past lobby, near the rear elevators).

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The risk of windows falling off of 2180 Milvia Street created an extremely dangerous condition that the City must urgently address.

Contract: B-Bros Construction Inc. for Temporary Stabilization
of Stair Tower Windows at 2180 Milvia Street

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ALTERNATIVE ACTIONS CONSIDERED

None. Not making the windows and the area below and around them safe would put life and limb at grave risk.

CONTACT PERSON

Wahid Amiri, Deputy Director, Public Works (510) 981-6396

Uriel Gonzalez, Assistant Public Works Engineer, Public Works (510) 981-6627

Attachment:

1: Resolution

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

CONTRACT: B-BROS CONSTRUCTION INC FOR TEMPORARY STABILIZATION OF STAIR TOWER WINDOWS AT 2180 MILVIA STREET

WHEREAS, on or about July 11, 2024, Public Works staff was alerted to potential hazards caused by windows in the secondary egress stairwells in 2180 Milvia Street; and

WHEREAS, glass from the windows could fall outside the building; and

WHEREAS, people and property outside the building could be at risk of being hit by it.

WHEREAS, funding is available from the baseline FY 25 Facilities CIP Deferred Maintenance/Emergency Projects budget from the Capital Improvement Fund 501; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager's August 2024 emergency contract with B-Bros Construction Inc. is approved to make necessary repairs to the windows in the secondary egress stairwells in 2180 Milvia Street, including executing any amendments, extensions or other change orders until completion of the project in an amount not to exceed \$400,000.