

Internal



Office of the City Manager

CONSENT CALENDAR
April 29, 2025

To: Honorable Mayor and Members of the City Council
From: Paul Buddenhagen, City Manager
Submitted by: Terrance Davis, Director, Public Works
Subject: Contract: Terocons Inc. for South Berkeley Bikeway and Bus Stop Improvements Project

RECOMMENDATION

Adopt a Resolution:

1. Approving plans and specifications for the South Berkeley Bikeway and Bus Stop Improvements Project, Specification No. 25-11716-C;
2. Accepting the bid of Terocons Inc. the lowest, responsive and responsible bidder; and
3. Authorizing the City Manager to execute a contract with Terocons 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 \$4,208,200, which includes a 10% contingency for unforeseen circumstances.

SUMMARY

In 2019 the City partnered with Resources for Community Development (RCD), the developer of the Maudelle Miller Shirek Community affordable housing residences at 2925 Adeline Street, to design and construct pedestrian, bicycle, and transit improvements as a condition of receiving grant funding from the State of California Affordable Housing and Sustainable Communities (AHSC) program for both RCD's and the City's work.

The City and RCD entered into an agreement, which defined the City's work that was formalized as the Woolsey-Fulton Bicycle Boulevard (WFBB) project and the Shattuck-MLK Bus Stops (SMBS) project. The City's work and receipt of final grant reimbursement funds must be complete by July 30, 2026, or the City will be liable for the grant costs and risk loss of grant funding for RCD's and the City's work. The work of these projects must be performed in an expedited manner to meet this deadline. If the City requests and is granted a schedule extension, it may impact the City's ability to obtain similar grant funding in the future.

The WFBB project fills a key gap in the existing Citywide bicycle network by connecting the Southside neighborhood to the Ashby BART station. The WFBB Project also includes crossing improvements at key intersections, among other pedestrian and bicycle safety improvements. The SMBS Project makes transit improvements at the intersections of Martin Luther King Jr Way & Prince Street, Shattuck Avenue & Woolsey Street, and Shattuck Avenue & Ashby Avenue. The WFBB and SMBS projects were merged into a single construction contract titled South Berkeley Bikeway and Bus Stop Improvements Project (Project) to enable City staff to more efficiently administer and oversee the design and construction process, while also streamlining the grant reimbursement process.

The City's design team developed conceptual designs, conducted public outreach, reviewed and evaluated public feedback, and finalized the design by preparing plans and specifications. The Project construction was advertised via an open competitive bid process beginning on March 6, 2025. Bids were opened on April 3, 2025 and Terocons Inc. was found to be the lowest bidder, with a bid of \$3,825,633, which is within the Project budget. To keep the Project on schedule, the City should enter into a construction contract and begin construction in summer 2025.

FISCAL IMPACTS OF RECOMMENDATION

The construction budget for the South Berkeley Bikeway and Bus Stop Improvements Project is \$4,208,200, including contingency. The construction contract for this Project consists of two individual design projects – the Woolsey-Fulton Bicycle Boulevard (WFBB) project and the Shattuck-MLK Bus Stops (SMBS) project. These projects are funded in part by a California Affordable Housing and Sustainable Communities (AHSC) infrastructure pass-through grant via the Maudelle Miller Shirek Community at 2925 Adeline Street being developed by Resources for Community Development (RCD). Through this grant agreement the City will be reimbursed for \$2,612,543 worth of expenditures, of which \$2,338,543 will be used during the construction phase. Funds are available in the FY 2025 and planned FY 2026 budgets in the funding sources indicated on the following page.

Project	AHSC Capital Grant (Fund 306)	Alameda County Measure BB – Bicycle and Pedestrian (Fund 135)	Alameda County Measure B – Streets & Roads (Fund 130)	Alameda County Measure BB – Streets and Roads (Fund 134)
Woolsey-Fulton Bicycle Boulevard	\$1,790,129	\$33,538	\$140,865	\$1,418,668
Shattuck-MLK Bus Stops	\$548,414	-	-	\$276,586

Low bid by Terocons Inc.	\$3,825,633
10% Contingency	\$382,567
Total Not-to-Exceed Construction Cost	\$4,208,200

CURRENT SITUATION AND ITS EFFECTS

On April 3, 2025, five bids were opened for the Project, with bids ranging from \$3,825,633.00 to \$4,897,372.30. The determination of the lowest responsive and responsible bidder was based on the total bid price, as described in the bid documents. The lowest bidder is Terocons Inc. with a bid of \$3,825,633. Staff have identified funding to cover the total bid price of the low bidder, plus a 10 percent contingency, as indicated above. Staff have verified that Terocons 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. Terocons 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 Workforce Agreement.

The South Berkeley Bikeway and Bus Stops Project is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

Project Origins and Grant Funding

The Maudelle Miller Shirek Community at 2925 Adeline Street (originally listed as 2001 Ashby Avenue) is being constructed on the northeast corner of the intersection of Ashby Avenue & Adeline Street, developed by the nonprofit RCD. The AHSC grant funding for this community development project, which will provide 87 affordable rental homes, specifies Sustainable Transportation Infrastructure (STI) and Transit-Related Amenities (TRA) work to be performed by the City and BART. The City's STI and TRA obligations are the WFBB and SMBS projects, respectively.

RCD and City staff identified development of bike boulevards on Woolsey Street and Fulton Street as proposed in the City's Bicycle Plan, which would expand the Citywide bike network from the Ashby BART Station to the Southside neighborhood and connect to the existing Russell Street bike boulevard, the new two-way Class IV bikeway (cycletrack) on Fulton Street north of Dwight Way, and planned bike boulevards on Derby Street and Prince Street. This became the City's WFBB project, which comprises the City's STI obligations under the AHSC grant funding agreement.

The SMBS project is intended to improve transit reliability and safety for transit riders per the City's Transit-First Policy. The proposed bus stop improvements complement the STI work of the WFBB project by providing multi-modal benefits in the form of improved access to transit, increased transit reliability, and bus stop amenities. The SMBS Project comprises the City's TRA obligations under the AHSC grant funding agreement.

Previous Council Items

Resolution 69, 252-N.S. was adopted on January 21, 2020 which authorized the City to enter into an agreement with RCD to receive AHSC grant funding for the WFBB and SMBS Projects. On January 29, 2020 the City executed Revenue Contract No. 42000065 for infrastructure improvements related to the Maudelle Miller Shirek Community development. This contract commits the City to providing the WFBB and SMBS enhancements and stipulates that if these STI and TRA enhancements are not delivered by the City in a timely manner, the affordable housing developer, RCD, may not receive full grant reimbursement for the \$15,797,796 of AHSC grant funding designated for construction of the Maudelle Miller Shirek Community development regardless of RCD's performance of its obligations.

Stakeholder Engagement

City staff have been actively engaging with the community and key stakeholders per the Public Works Department's Public Participation Policy, which included the following:

- Project websites were established in early January 2024, which detailed the project scope, funding, and schedule.
- The initial conceptual design drawings were posted on the project websites on January 17, 2024 for public review and comment. The comment period ended on February 14, 2024.

- On January 31, 2024 the design team, consisting of City staff from the Public Works Department and its design consultants for the projects, hosted a public information meeting in which over 2,000 nearby addresses were notified and invited to discuss and provide comments on the conceptual designs.
- On February 15, 2024 City staff presented the conceptual design to the Berkeley Transportation and Infrastructure Commission (TIC), which voted in support of the conceptual design.

Throughout the design process the design team reviewed comments from residents and businesses, City staff reviewers, and external stakeholders including AC Transit, BART, and utility companies. All comments were evaluated in the context of project goals, grant funding obligations, Citywide goals and policies, engineering design practice, management of the public right-of-way, safety, and cost. Detailed design documents were prepared in accordance with these factors. Staff believes the Project design documents best achieve these objectives.

Key Project Elements

The WFBB and SMBS projects are closely linked as they share the same funding source and construction schedule, and are in close proximity. For this reason, the two projects were designed and bid together as the South Berkeley Bikeway and Bus Stop Improvements Project. This was done to enable City staff to more efficiently administer and oversee the construction contract and to streamline the grant reimbursement process, especially since the work of both packages is funded by one AHSC grant under a single set of schedule deadlines.

The South Berkeley Bikeway and Bus Stop Improvements Project includes the following elements:

- A Class III bikeway with Bicycle Boulevard pavement markings and signage on Woolsey Street from Adeline Street to Wheeler Street, Wheeler Street from Woolsey Street to Prince Street, Prince Street from Wheeler Street to Fulton Street, and Fulton Street from Prince Street to Dwight Way;
- Pedestrian hybrid beacons (PHBs) at Martin Luther King Jr. Way & Prince Street and Shattuck Avenue & Russell Street;
- Rectangular rapid flashing beacons (RRFBs) at Adeline Street & Woolsey Street, Adeline Street & Russell Street, and Shattuck Avenue & Woolsey Street;
- Median upgrades for increased pedestrian safety at Martin Luther King Jr. Way & Prince Street and Adeline Street & Woolsey Street;
- Curb extensions at Martin Luther King Jr. Way & Prince Street, Adeline Street & Woolsey Street, Shattuck Avenue & Woolsey Street, and Shattuck Avenue & Russell Street;
- New traffic circle at Wheeler Street & Prince Street;
- Two speed tables on Fulton Street near Oregon Street;
- Upgraded lighting at Shattuck Avenue & Woolsey Street;

- Intersection improvements at major intersections including accessible curb ramps and new pavement and markings; and
- Upgrades of six bus stops at Martin Luther King Jr Way & Prince Street, Shattuck Avenue & Woolsey Street, and Shattuck Avenue & Ashby Avenue including relocation of bus stops from nearside to farside and installation of bus stop amenities where feasible.

Project Schedule

The City's contractual agreement with RCD stipulates that the City must be reimbursed for all grant-funded expenditures by July 30, 2026. The City's default would jeopardize AHSC funding for the Maudelle Miller Shirek Community. If an extension is granted by the State it may impact the City's ability to apply for similar grants in the future. Therefore, the City will need to prioritize completion of this Project or it may expose the City to liability.

Project construction is estimated to have a 9-month duration, which is scheduled to begin in summer 2025 after a construction contract is executed, and conclude in early 2026. Because the Project closeout and grant reimbursement process typically takes several months, the City estimates that construction activities should be complete by early 2026 to meet the grant reimbursement deadline. The Project construction includes the purchase of items that typically have relatively long manufacturing times, including traffic signal poles and equipment and bus stop shelters, which can take approximately ½ year to procure. For this reason, it is imperative that Council issue a resolution covering the items in this report during its April 29, 2025 meeting.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The purpose of the AHSC program is to reduce greenhouse gas emissions in California, and both the WFBB and SMBS projects will help accomplish that goal. Increasing cycling and walking in the City would help the City achieve the Berkeley Climate Action Plan greenhouse gas emission reduction targets of 80% below year 2000 levels by 2050.

The Climate Action Plan states that, in order to meet these targets, "Transportation modes such as public transit, walking and bicycling must become the primary means of fulfilling our mobility needs."

RATIONALE FOR RECOMMENDATION

Approving the plans and specifications, accepting the bid of Terocons Inc. as the lowest responsive and responsible bidder, and authorizing the City Manager to execute a contract with Terocons Inc., all for the South Berkeley Bikeway and Bus Stop Improvements Project, will help keep the Project on schedule in accordance with the grant funding agreement.

ALTERNATIVE ACTIONS CONSIDERED

If City Council chose not to take the proposed actions at this time and instead defer the item to a future Council agenda, such an action would increase (a) the risk of the City defaulting on its obligations to deliver this Project by the grant funding deadline and (b) the City's liability for a potential loss of grant funding for the Maudelle Miller Shirek Community affordable housing development if the Project is not completed on time.

CONTACT PERSON

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Kenneth Jung, Supervising Civil Engineer, Public Works, 510-981-7028

Jesse Peoples, Associate Civil Engineer, Public Works, 510-981-6449

Attachments:

1: Resolution

2: Site Map

3: Abstract of Bids

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

CONTRACT: TEROCONS INC. FOR SOUTH BERKELEY BIKEWAY AND BUS STOP IMPROVEMENTS PROJECT

WHEREAS, the South Berkeley Bikeway and Bus Stop Improvements Project (Specification No. 25-11716-C) consists of two projects:

- Woolsey-Fulton Bicycle Boulevard project and
- Shattuck-MLK Bus Stops project; and

WHEREAS, the Project fills several gaps in the existing Citywide bicycle network by connecting Ashby BART Station to the existing Russell Street bike boulevard, the new two-way Class IV bikeway (cycletrack) on Fulton Street north of Dwight Way, and planned bike boulevards on Derby Street and Prince Street; and

WHEREAS, the Project also makes modifications to six bus stops at the Martin Luther King Jr Way & Prince Street, Shattuck Avenue & Woolsey Street, and Shattuck Avenue & Ashby Avenue intersections to improve access to transit and increase reliability; and

WHEREAS, the City has received \$2,612,543 in grant funding for these transportation improvements from the State of California Affordable Housing and Sustainable Communities program through a contractual agreement with Resources for Community Development, the developer of the Maudelle Miller Shirek Community affordable housing development at 2925 Adeline Street; and

WHEREAS, the contractual agreement stipulates that the City must complete these transportation improvements and receive final grant reimbursement by July 30, 2026 or it may be liable for the loss of grant funding for the City's work and the grant funding for the Maudelle Miller Shirek Community housing; and

WHEREAS, with the support of an engineering and design consultant team, City staff developed a conceptual design; obtained public input on and analyzed conceptual design options; balanced comments and concerns from the public with project goals; and completed the final design documents in the form of plans and specifications; and

WHEREAS, on March 6, 2025, the City released an Invitation for Bids (Specification No. 25-11716-C) for the work of the South Berkeley Bikeway and Bus Stop Improvements Project; and

WHEREAS, bids were opened on April 3, 2025 and TEROCONS INC. was found to be the lowest responsive and responsible bidder; and

WHEREAS, funds are available in the FY 2025 and planned FY 2026 budgets in the State Capital Grants (Fund 306), Alameda County Measure BB Local Streets & Roads

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(Fund 134), Alameda County Measure BB Bicycle and Pedestrian (Fund 135), and Alameda County Measure B Bicycle and Pedestrian (Fund 131) funds; and

WHEREAS, no other funding is required, and no other project from the Public Works Department 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 South Berkeley Bikeway and Bus Stop Improvements Project (Specification No. 25-11716-C) are approved.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley accepts the bid of TEROCONS 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 South Berkeley Bikeway and Bus Stop Improvements Project in accordance with the approved plans and specifications with TEROCONS INC., in an amount not to exceed \$4,208,200, which includes a 10 percent 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.



Woolsey–Fulton Bike Boulevard and Shattuck–MLK Bus Stops Projects



Map Revised 6/4/24



City of Berkeley
Abstract of Bid Worksheet

Finance Department
General Services Division

Bid Date: 04/03/2025

Spec. # 25-11716-C

FOR: South Berkeley Bikeway and Bus Stop Improvements

	Bidders	Base Bid	Addendum 1	Experience & Fin Qual	Taxpayer ID	Nuclear Free	Oppressive States	Sanctuary City	Equal Benefits Ordinance	Bid Bond
1	Terocons	\$3,825,633.00	X	X	X	X	X	X	X	X
2	Interstate Grading & Paving	\$3,837,674.00	X	X	X	X	X	X	X	X
3	Ghilotti Construction	\$4,304,570.00	X	X	X	X	X	X	X	X
4	Kerex Engineering	\$4,897,372.30	x	x	x	x	x	x	x	X
5	Sposeto Engineering	\$3,893,123.95	x	x	x	x	x	x	x	x
6										
7										
8										
9										
10										

Bid Recorder:

Tanika Gainer

Date 04/03/2025

Bid Opener:

R. Soorma

Date 04/03/2025

Project Manager: Jesse Peoples

Jesse Peoples

Date 04/03/2025

