



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ryan Russo
Director, OakDOT

SUBJECT: Contract Award for Highway Safety
Improvement Program (HSIP) Cycle
8, Downtown Improvements

DATE: April 19, 2021

City Administrator Approval 

Date: May 5, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Awarding A Construction Contract To Bay Area Lightworks Inc., For Highway Safety Improvement Program (HSIP) Cycle 8, Downtown Improvements Project, Project No. 1004016, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Six Hundred Thirty Thousand Dollars (\$630,000).

EXECUTIVE SUMMARY

Approval of the proposed resolution will award a construction contract of \$630,000 to Bay Area Lightworks Inc., the lowest, responsible, responsive bidder, for Highway Safety Improvement Program (HSIP) Cycle 8, Downtown Improvements Project, Project No. 1004016 to implement pedestrian, bicycle and traffic safety improvements on 7th Street, 8th Street, 9th Street, 10th Street between Broadway and Harrison Street. Safety measures will include the installation of signal mast arms, vehicle and pedestrian signal upgrade, pedestrian push buttons, pedestrian speakers and countdown pedestrian signal heads.

BACKGROUND / LEGISLATIVE HISTORY

In August 2016 the City submitted a grant proposal to Caltrans for Downtown Improvements based on collision history extending back five years. The project area is within Oakland's High Injury network and has a deficit of visibility at approaches to traffic signals, and inadequate pedestrian safety equipment at the signalized intersections with high pedestrian volumes and transit. In November 2016, Caltrans awarded a grant to the City in a competitive process based on an evaluation of the overall effectiveness of proposed measures that can reduce the number and severity of collisions for pedestrians, bicyclists and vehicles.

City Council
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In June 2017, the City Council passed Resolution No. 86818 C.M.S., accepting and appropriating funds as shown in **Attachment A**, which authorized the City Administrator to accept and appropriate the HSIP Cycle 8 grant for the Downtown Improvements Project.

ANALYSIS AND POLICY ALTERNATIVES

Currently staff is seeking Council approval on a Resolution to award this contract to the lowest responsive and responsible bidder, Bay Area Lightworks Inc.

The proposed work consists of installing crosswalk enhancements and signal upgrades at 13 intersections along 7th Street, 8th Street, 9th Street and 10th Street between Broadway and Harrison Street. Work will include the installation of signal mast arms, vehicle and pedestrian signal upgrades, pedestrian push buttons, pedestrian speakers, countdown pedestrian signal heads, and internally illuminate street name signs (IISNS).

The project is located in Council District 2. For a map and additional detail on project features please refer to **Attachment B**.

On October 30, 2020, the City placed an advertisement in Daily Pacific Builder, Oakland Tribune, The Korea Times, World Journal, El Mundo, and Oakland Post inviting construction bids. On December 3, 2020, the Office of City Clerk received four bids in the amounts of \$630,000, \$836,000, \$874,145 and \$891,450 from Bay Area Lightworks, Mike Brown Electric, Tennyson Electric, and Columbia Electric, respectively as shown in **Attachment C**.

The Contract Compliance Division determined that Bay Area Lightworks Inc. bid is Equal Benefits Ordinance (EBO) compliant, meets the Federal Disadvantaged Business Enterprise (DBE) 15.54% goal, and is therefore the lowest, responsible, responsive bidder. Bay Area Lightworks Inc.'s bid of \$630,000 is ten percent (10%) below the Engineer's Estimate of \$700,510. The Contract Compliance Memorandum is shown in **Attachment D**. Staff determined that Bay Area Lightworks Inc.'s bid is reasonable with available sufficient funds. Hence Bay Area Lightworks Inc. is recommended to be awarded the contract.

FISCAL IMPACT

Approval of the proposed resolution will authorize the City Administrator to execute a construction contract with Bay Area Lightworks Inc. as follows:

AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Construction Contract: \$630,000

SOURCES OF FUNDING:

The project is funded by the HSIP Cycle 8 grant and Measure KK. Caltrans authorized the use of HSIP Cycle 8 grant for construction contract of the Downtown Improvements Project. A local match is required as a condition of the grant as shown below:

- Federal HSIP Grant \$376,745, State of California, Department of Transportation; Project 1004016, Organization 92270, Expense 57411, Task 8.0, Award 23349, Fund 2116, Program NB33.
- Local Match \$253,255, Measure KK, 2nd Tranche, Project 1003348, Organization 92246, Expense 57411, Task 8.0, Award 23686, Fund 5332, Program IN05

PUBLIC OUTREACH / INTEREST

The project was presented to Bicyclist and Pedestrian Advisory Commission (BPAC) during the grant application phase and received their concurrence. City staff also reached out to AC Transit and obtained their support for the project during the planning phase.

For this construction Request For Bid (RFB) solicitation, DOT-Great Street Division (DOT-GSD) worked with OPW-Capital Contracts Division (OPW-CCD) and Department of Workplace and Employment Standards (DWES) on performing public outreach through the legal ads, enhanced notifications, and a pre-proposal meeting.

Notifications of solicitations were distributed by several means. The first mean, the City's iSupplier system, was utilized to notify Oakland-certified local and non-local professional service providers (e.g., landscape architects, architects, engineers, contractors, and planning firms); regional trade and business groups, including the Oakland Metropolitan Chamber of Commerce, Oakland Black Board of Trade & Commerce, Bay Area Business Roundtable, and the Construction Bidboard. Companies that register in iSupplier wait a few days before receiving access to review proposal requests in this system. If a company enters an NAICS code, they are notified about projects with this code.

In addition to iSupplier and the established disparity outreach list of OPW-CCD also utilizes CIPList.com, a free, web-enabled site to announce and distribute solicitations. It is used to push out notifications to plan rooms and builders' exchanges such as ARC North America, Builders Exchange of Alameda County, Contra Costa Builders Exchange, Dodge Data & Analytics, East Bay Blueprint, East Bay Blueprint, iSqFT, Northern California Electrical Construction Industry, Peninsula Builders Exchange, San Francisco Builders Exchange, and Solano-Napa Builders Exchange. Through CIPList.com, any company or entity may register to be automatically notified of all City of Oakland solicitations without restrictions.

The legal notice for the RFB was advertised on August 12, 2020. Legal notices were printed in the EastBay Times and Oakland Post. In addition, information about the project was published in El Mundo, Daily Pacific Builder, World Journal, and the Korea Times publications to supplement and ensure the information reaches Local Business Enterprise and Small Local Business

Enterprise (LBE/SLBE) in Black, Indigenous, People of Color (BIPOC) communities with potential contractors/consultant.

OPW-CCD held a pre-proposal meeting in partnership with the Workplace & Employment Standards Department and the Project Manager on Tuesday November 3, 2020, with zero attendants, either in the office or virtually. The meeting served a few purposes: to discuss with potential consultants how contracts are established with the City, to make those in attendance aware of possible upcoming work, to allow for opportunities for consultants to network and partner on upcoming work, and to discuss the current RFP solicitation specifically.

Upcoming projects and current projects accepting submissions are on our webpage. As part of our equity initiative, current and next steps contain outreach to engage professional and contractor associations specifically representing women-owned, African American-owned, and other global majority firms. OPW-CCD will collaborate with existing construction/consultant working groups and professional organizations to reduce identified disparities in contracting. Finally, OPW-CCD will partner with the Business Assistance Center to identify grant funding to establish a Contract Assistance Center to help guide contractors with the City's contracting process.

COORDINATION

The Office of the City Attorney and the Budget Bureau have reviewed this report and resolution. Staff coordinated with the following State and City Departments and stakeholders listed below:

- State of California, Department of Transportation (Caltrans)
- OPW Project Delivery Division
- OPW Infrastructure Maintenance Division
- Bicyclist and Pedestrian Advisory Commission (BPAC)

SUSTAINABLE OPPORTUNITIES

Economic: This project will improve transportation conditions and make Downtown Oakland safer, more accessible, and more attractive. In addition, the construction contract will create job opportunities for Oakland residents through the City's contracting requirements.

Environmental: The project will provide a safer route for pedestrians, and thereby providing a more attractive alternative mode of transportation to single occupancy vehicles and helping to reduce Oakland's carbon footprint. Furthermore, during construction the project will implement the Best Management Practices for the protection of storm water runoff to prevent pollutants from entering the storm drain system.

Social Equity: The project will result in greater mobility, accessibility and safety for pedestrians, bicycles, transit, and vehicular traffic. It will benefit many schools in the project area and access to the 12th Street Oakland BART Station. Persons with disabilities and pedestrians in general

will be particularly benefited by the countdown pedestrian signal heads, and audible signals. Furthermore, this project is located in Chinatown, which has a high proportion of Senior Asian Oaklanders. This census tract has an equity score of 1.59, making it amongst the highest equity score ratings in the City. Furthermore, according to OakDOT's 2017 Pedestrian Plan:

“At the statewide level, Asian/Pacific Islanders 65 years and older have the highest death and hospitalization rates of any age group. Locally, Table 2.4 shows that pedestrians in Oakland of Asian descent die at twice the citywide rate.”

Table 2.4: Traffic Fatalities By Race (2010-2014)

Race or Ethnicity	Fatalities (#)	Fatalities (%)	Population (%)	Fatality Rate per 100,000 pop
Asian	11	31	66,08	16.6
Black	9	25	102,933	8.7
Hispanic/Latino	10	28	104,122	9.6
White	5	14	106,736	4.7
Other	1	3	22,460	4.5
Total	36	100	402,339	8.9

Source: Fatality Analysis Reporting System (FARS)

As such there is a profound need for these project improvements.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21080.25. Due to recent additions intended to expand and enact CEQA exemptions to streamline the time and cost of delivering transportation projects in California through Senate Bill (SB) 288, this project is identified as exempt under PRC Section 21080.25. (b)(1) (Pedestrian and bicycle facilities, including new facilities).

In addition, the project is also exempt from CEQA pursuant to Public Resources Code Section 21080.20.5 (restriping of streets for bicycle lanes), and on a separate and independent basis, the project is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15301(c) (Existing Facilities, Highways and Streets), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the Environment).

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ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Awarding A Construction Contract To Bay Area Lightworks Inc., For Highway Safety Improvement Program (HSIP) Cycle 8, Downtown Improvements Project, Project No. 1004016, The Lowest, Responsible,

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Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Six Hundred Thirty Thousand Dollars (\$630,000).

For questions regarding this report, please contact Ade Oluwasogo, Supervising Transportation Engineer, at 510-238-6103.

Respectfully submitted,



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Attachments (5):

- A: Resolution to Accept and Appropriate HSIP Grant
- B: Location Map
- C: List of Bidders
- D: Contract Compliance Report
- E: Contractor Performance Evaluation

City Council
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