

CITY OF OAKLAND

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OFFICE OF THE CITY CLERK  
OAKLAND

2016 JUN 30 AM 11:46

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Brooke A. Levin  
Director, Public Works

**SUBJECT:** Upper Broadway Road Diet and  
Citywide Rectangular Rapid Flashing  
Beacon Project

**DATE:** June 1, 2016

City Administrator Approval

Date:

6/29/16

## RECOMMENDATION

**Staff Recommends That The City Council Approve A Resolution: 1) Authorizing The Removal Of Travel Lanes And The Installation Of Class II Bicycle Lanes On Broadway From Broadway Terrace To Keith Avenue; 2) Awarding A Construction Contract To Ray's Electric, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Upper Broadway Road Diet And Citywide Rectangular Rapid Flashing Beacon Project (Project No. C369550) And With Contractor's Bid In The Amount Of One Million Seven Hundred Sixty-One Thousand Eight Hundred Thirty-Six Dollars And Seventy Cents (\$1,761,836.70); And 3) Adopting California Environmental Quality Act Exemption Findings.**

## EXECUTIVE SUMMARY

Approval of this resolution will allow the City to implement bikeways on Broadway from Broadway Terrace to Keith Avenue, and authorize the City Administrator to execute a construction contract with Ray's Electric in the amount of \$1,761,836.70. The Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project will resurface Broadway, enhance pedestrian crossings and install bike lanes on Broadway between Broadway Terrace and Keith Avenue by removing a travel lane in each direction and providing a two-way center left turn lane. The project will also install rectangular rapid flashing beacons on Telegraph Avenue at 62<sup>nd</sup> and 61<sup>st</sup> Streets, on Market Street at Brockhurst Street, on Northgate Avenue at Sycamore Street and on Park Boulevard at East 38<sup>th</sup> Street. The work for this project is located throughout Oakland as shown in **Attachment A**.

## BACKGROUND / LEGISLATIVE HISTORY

The City of Oakland's Bicycle Master Plan, part of the Land Use and Transportation Element of the Oakland General Plan, calls for the implementation of a citywide network of bikeways to connect downtown, transit stations, commercial districts, neighborhoods, and the waterfront. The plan was originally adopted in 1999, comprehensively updated in 2007, and reaffirmed by the City Council in 2012.

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The project would implement the following General Plan policies from the Land Use and Transportation Element (LUTE) and the Bicycle Master Plan (BMP):

LUTE Policy T4.10- Converting Underused Travel Lanes: Take advantage of existing transportation infrastructure and capacity that is underutilized. For example, where possible and desirable, convert underused travel lanes to bicycle or pedestrian paths or amenities.

BMP Policy 1 B- Routine Accommodation: Address bicycle safety and access in the design and maintenance of all streets.

BMP Policy 1 C- Safe Routes to Transit: Improve bicycle access to transit, bicycle parking at transit facilities, and bicycle access on transit vehicles.

The project would implement the City's Complete Streets policy direction as codified in the Oakland Municipal Code Chapter 12.02 (Complete Streets Design Standards) and elaborated in City Council Resolution No. 84204 C.M.S. (Complete Streets Policy for the City of Oakland):

The City of Oakland will plan, design, construct, operate, and maintain appropriate facilities for pedestrians, bicyclists, transit users of all abilities, children, the elderly, and people with disabilities as a routine component of new construction, reconstruction, retrofit, and maintenance projects...

Complete Streets infrastructure is sufficient to enable reasonably safe travel along and across the right of way for each category of users will be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets...

The City of Oakland will incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of all users, with the particular goal of creating a connected network of facilities accommodating each category of users...

The proposed restriping of travel lanes to remove a travel lane and install bike lanes on Broadway is consistent with the City's General Plan, Bicycle Master Plan, and Complete Streets Policy.

The City's Bicycle Master Plan Policy 3C requires City Council approval of projects that remove travel lanes for the installation of bikeways. On Broadway, the proposed project would add bicycle lanes by reducing the number of travel lanes from four travel lanes to three travel lanes between Broadway Terrace and Keith Avenue. (**Attachment A**).

The project will resurface approximately 0.6 miles of Broadway between Broadway Terrace and Keith Avenue. As part of the resurfacing, asphalt concrete pavement will be milled and overlaid, curb ramps will be constructed or upgraded; and sidewalk, curb and gutter will be repaired.

The City received funds as a part of the mitigation settlement for the Caldecott Fourth Bore on Highway 24 to implement improvements that improve bicycle, pedestrian and transit traffic and connectivity in the area. Pedestrian safety improvements at the intersection of Broadway and

Lawton Avenue were identified to be a community priority project. The Upper Broadway Road Diet project includes these pedestrian safety improvements, and the work will be funded through the Caldecott 4th Bore Settlement funds from Caltrans, and Measure B matching funds.

The project will also install pedestrian crossing beacons on Telegraph Avenue at 62rd and 61st Streets, on Market Street at Brockhurst Street, on Northgate Avenue at Sycamore Street and on Park Boulevard at East 38th Street.

### **ANALYSIS AND POLICY ALTERNATIVES**

The proposed Upper Broadway Road Diet on Broadway between Broadway Terrace and Keith Avenue provides an important link in the bikeway network by connecting commercial districts and neighborhoods, consistent with the City's Bicycle Master Plan and Complete Streets Policy. Community outreach meetings were held to present the proposed project and potential impacts, results of traffic studies, and answer questions and concerns. (See the Public Outreach/Interest section for additional detail).

The project creates a continuous north-south bike connection which is part of the proposed network in the Bicycle Master Plan. The Upper Broadway Road Diet project will be implemented with the resurfacing of upper Broadway, a project funded by Measure BB funds. By combining the funded pedestrian and bicycle aspects of the project with the scheduled resurfacing of Broadway, the City maximizes its investment in the transportation infrastructure by designing and building "complete streets" to benefit all roadway users, particularly the neighboring community.

The project will install pedestrian crossing beacons on Telegraph Avenue at 62rd and 61st Streets, on Market Street at Brockhurst Street, on Northgate Avenue at Sycamore Street and on Park Boulevard at East 38th Street, all high speed arterial streets that are historically challenging for pedestrians. The beacons are a lower cost alternative to traffic signals and hybrid signals that are shown to increase driver yielding behavior at crosswalks. The project would remove six on-street parking spaces on Telegraph Avenue at 61st Street.

On May 19, 2016, the City Clerk received one bid from Ray's Electric for the construction of the project in the amount of \$1,761,836.70. Contract Compliance Division determined that Ray's Electric exceeded the Local and Small Local Business Enterprise (L/SLBE) participation requirement, and is the lowest, responsive and responsible bidder as shown in Attachment B. Ray's Electric bid of \$1,761,836.70 is 9.7 percent above the Engineer's Estimate of \$1,606,360.43, and the project has sufficient funds. Staff has determined that Ray's Electric's bid is reasonable and reflects current market conditions. Therefore, Ray's Electric is recommended to be awarded a contract.

Construction work is anticipated to begin in Fall 2016 and should complete by Spring 2017, weather permitting.

### **FISCAL IMPACT**

The Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project is funded by the following:

- \$1,049,879.00 from Measure BB Local Streets and Roads Fund (2216); Streets and Structures Organization (92242); Street Construction Account (57411); Citywide Street Resurfacing (C491141);
- \$238,029.00 from California Department of Transportation (2140); Transportation Services Organization (92246); Street Construction Account (57411); Caldecott Settlement Projects - Broadway at Lawton (C369550);
- \$306,435.00 from Measure BB Local Streets and Roads Fund (2216); Streets and Structures Organization (92246); Signal and Safety Devices Account (57412); Traffic Signal Management (C491140);
- \$318,454.00 from Measure B Local Streets and Roads Fund (2211); Streets and Structures Organization (92246); Signal and Safety Devices Account (57412); Transportation and Pedestrian Improvements (C371410);
- \$70,914.00 from Measure BB Local Streets and Roads Fund (2216); Infrastructure Planning and Funding Organization (92260); Street Construction Account (57411); Pedestrian Facilities (C491230);
- \$42,382.00 from Measure BB Local Streets and Roads Fund (2216); Infrastructure Planning and Funding Organization (92260); Street Construction Account (57411); Bike Facilities (C491220);

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

The Contractor Performance Evaluation for Ray's Electric from a previously completed project is satisfactory and is included as ***Attachment C***.

### **PUBLIC OUTREACH / INTEREST**

To date, the formal public engagement process for the Upper Broadway Road Diet project has included the following public meetings:

- Bicycle and Pedestrian Advisory Commission (BPAC) meetings: On February 20, 2014 and May 06, 2015, Public Works Transportation Services Division (TSD) staff made presentations to the BPAC and public attendees.
- Public Meetings: On November 18, 2013, and May 29, 2014 community meetings were held to share and discuss the proposed design. Notice of the meetings was posted on the Rockridge News, a local newsletter.
- Public Hearing: In accordance with Government Code section 6061, on April 1, 2016, the City published notice of a public hearing to be held on April 18, 2016, to consider the proposed restriping of travel lanes to remove a travel lane and install bike lanes on Broadway between Broadway Terrace and Keith Avenue. That notice was published in

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the Oakland Tribune, a newspaper of general circulation in the area affected by the proposed projects and is included in **Attachment D**. In addition, on April 9, 2016, notice of the meetings was posted on the Rockridge News. As required by Public Resources Code section 21080.20.5, on April 18, 2016, the City held a duly noticed public hearing to hear and respond to public comments on the project. The public hearing took place at the College Avenue Presbyterian Church, 5951 College Avenue, Oakland, California, which is in close proximity to the area affected by the project. Comments received and the City's responses to comments for the project are included in **Attachment E**.

### **COORDINATION**

The Public Works Department is responsible for planning, designing, funding, implementing, and maintaining roadway capital projects. The Planning and Building Department was consulted for the filing of the environmental documents described under "CEQA" below. In addition, the Office of the City Attorney and the City's Controller's Bureau reviewed this report and resolution.

### **FISCAL/POLICY ALIGNMENT**

Bicycle Master Plan Policy 1B calls for the implementation of bikeway projects in conjunction with paving projects. This coordination is an efficient use of public funds and an effective means for implementing proposed bikeways.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** Improvements to pedestrian, bicycle and street facilities contributes to local economic activities. Bikeways promote bicycling, one of the most cost-effective forms of transportation. Bicycle and pedestrian trips tend to be local and thus are more likely to contribute to local economic activity.

**Environmental:** Walking and bicycling are energy efficient forms of transportation and creates no emissions. Accessible pedestrian and bicycle infrastructure promotes physical activity and good health. The enhancements to Oakland's bikeway network are a key strategy in the City's efforts to reduce greenhouse gas emissions. Traffic signal upgrades improve traffic flow, reduce stops and emissions, and improve air quality.

**Social Equity:** Road diets are a proven low-cost measure that enhances safety, most notably for pedestrians. Improving pedestrian facilities is a key in promoting walking as a viable mode of transportation. Bicycling is an inexpensive and broadly accessible form of transportation. Bikeways provide added freedom and independence for youth and parents (who are otherwise shuttling their children) as well as for some people who cannot drive and those who have chosen not to drive.

**CEQA**

As required by Public Resources Code section 21080.20.5, the City has prepared an assessment of traffic and safety impacts of the Project, which concluded that the Project will have negligible impacts on traffic operations and will not result in a decrease in safety for any travel mode. As previously stated, a duly noticed public hearing was held on April 18, 2016, to hear and respond to public comments on the Project (see Attachment E).

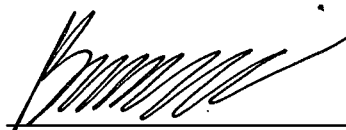
The project is exempt from California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.20.5 (restriping of streets for bicycle lanes), and on a separate and independent basis, the project is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (Projects Consistent 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).

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Approve A Resolution: 1) Authorizing The Removal Of Travel Lanes And The Installation Of Class II Bicycle Lanes On Broadway From Broadway Terrace To Keith Avenue; 2) Awarding A Construction Contract To Ray's Electric, The Lowest Responsive, Responsible Bidder, In Accordance With Plans And Specifications For Upper Broadway Road Diet And Citywide Rectangular Rapid Flashing Beacon Project (Project No. C369550) And With Contractor's Bid In The Amount Of One Million Seven Hundred Sixty-One Thousand Eight Hundred Thirty-Six Dollars And Seventy Cents (\$1,761,836.70); And 3) Adopting California Environmental Quality Act Exemption Findings.

For questions regarding this report, please contact Wladimir Wlassowsky, Transportation Services Division Manager, at 510-238-6383.

Respectfully submitted,



BROOKE A. LEVIN  
Director, Oakland Public Works

Reviewed by:  
Michael J. Neary, P.E.,  
Assistant Director  
Bureau of Engineering & Construction

Reviewed by:  
Wladimir Wlassowsky, P.E.,  
Division Manager  
Transportation Services Division

Prepared by:  
Ade Oluwasogo, P.E.,  
Supervising Transportation Engineer  
Transportation Services Division

*Attachments (6):*

- A: Project Location Map*
- B: Contracts & Compliance Unit Compliance Evaluation*
- C: Contractor Performance Evaluation*
- D: Public Hearing Notice*
- E: Response to Public Comments*
- F: CEQA Compliance Memorandum*

# Attachments A to F

For

## Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project

Attachment A: Project Location Map

Attachment B: Contracts & Compliance Unit Compliance Evaluation

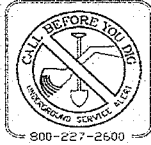
Attachment C: Contractor Performance Evaluation

Attachment D: Public Hearing Notice

Attachment E: Response to Public Comments

Attachment F: CEQA Compliance Memorandum





THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT AND THE CITY PUBLIC WORKS AGENCY AT LEAST 48 HOURS (2 WORKING DAYS) PRIOR TO BEGINNING ANY EXCAVATION IN THE VICINITY OF UNDERGROUND FACILITIES.

# PLANS FOR THE CONSTRUCTION OF UPPER BROADWAY ROAD DIET PROJECT AND CITYWIDE RECTANGULAR RAPID FLASHING BEACON PROJECT

CITY PROJECT NO. C369550



**CITY OF OAKLAND**  
BUREAU OF ENGINEERING AND  
CONSTRUCTION  
250 FRANKLIN SQUARE PLAZA  
SUITE 4100  
OAKLAND, CA 94612  
619 258-2427  
FAX 619 258-7227

TRANSPORTATION  
SERVICES DIVISION

*[Signature]*  
DIVISION MANAGER

SUPERVISING  
TRANSPORTATION ENGINEER



ENGINEERING DESIGN AND  
RIGHT-OF-WAY DIVISION

*[Signature]*  
DIVISION MANAGER

INFRASTRUCTURE  
PLANNING AND FUNDING

*[Signature]*  
DIVISION MANAGER

PROJECT DELIVERY

*[Signature]*  
DIVISION MANAGER

CITY ADMINISTRATOR'S OFFICE

*[Signature]*  
CITY ADMINISTRATOR

CITY ADA COORDINATOR

BUREAU OF INFRASTRUCTURE AND  
OPERATIONS

ASSISTANT DIRECTOR

CHECKED BY: MBUCFP/PSL

DESIGNED BY: MBUCFP/PSL

DRAWN BY: MBUCFP/PSL

No.	BY	DATE	REFERENCE

PROJECT NO.

**C369550**

SHEET NO.

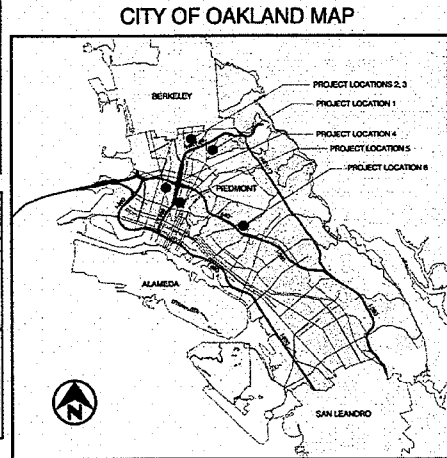
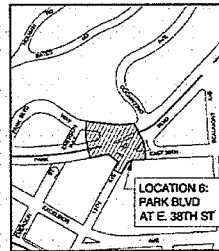
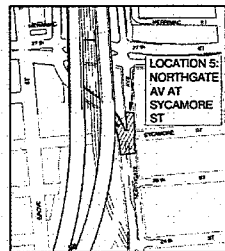
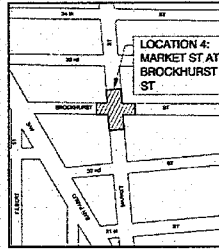
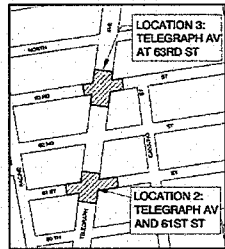
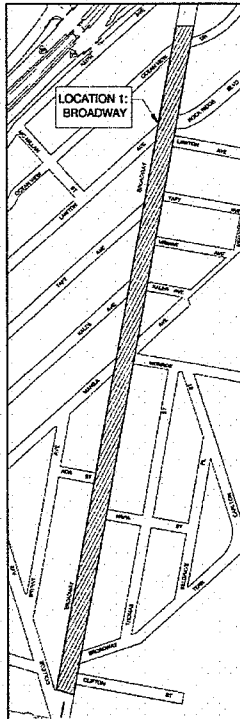
**T01**

DATE: MARCH 3, 2016

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## INDEX OF DRAWINGS

PAGE NO.	SHEET NO.	PLAN & TITLE
1	T01	TITLE SHEET, LOCATION MAP
2	C01	LEGEND, ABBREVIATIONS, GENERAL NOTES
3	C02	HORIZONTAL CONTROL PLAN, KEY MAP
4	C03	PAVING PLAN
5	C04	PAVING PLAN
6	C05	DEMOLITION PLAN
7	C06	STREET IMPROVEMENT PLAN AND PROFILE
8	C07	STREET IMPROVEMENT PLAN AND PROFILE
9	C08	STORM DRAIN PLAN AND PROFILE
10	C09	SIGNING AND STRIPING GENERAL NOTES AND DETAILS
11	C10	SIGNING AND STRIPING PLAN
12	C11	SIGNING AND STRIPING PLAN
13	C12	SIGNING AND STRIPING PLAN
14	C13	SIGNING AND STRIPING PLAN
15	TS01	TRAFFIC SIGNAL GENERAL NOTES AND LEGEND
16	TS02	TRAFFIC SIGNAL MODIFICATION PLAN (BROADWAY AT MANILA AVE)
17	TS03	CONDUCTOR AND POLE SCHEDULES (BROADWAY AT MANILA AVE)
18	TS04	TRAFFIC SIGNAL PLAN (BROADWAY AT LAWTON AVE)
19	TS05	CONDUCTOR AND POLE SCHEDULES (BROADWAY AT LAWTON AVE)
20	TS06	FLASHING BEACON PLAN (BROADWAY AT TAFT AVE)
21	TS07	SIGNAL INTERCONNECT PLAN
22	D01	CITY SURVEY DETAILS
23	E01	LAYOUT AND FLASHING BEACON PLAN (TELEGRAPH AVE AT 61ST ST)
24	E02	FLASHING BEACON PLAN (TELEGRAPH AVE AT 63RD ST)
25	E03	LAYOUT AND FLASHING BEACON PLAN (MARKET ST AT BROCKHURST ST)
26	E04	FLASHING BEACON PLAN (NORTHGATE AVE AT SYCAMORE ST)
27	E05	FLASHING BEACON PLAN (PARK BLVD AT E. 38TH ST)
28	E06	ELECTRICAL DETAIL



### LOCATION MAP

NOT TO SCALE

LIMITS OF WORK

*[Signature]*  
**MICHAEL NEARY, P.E.**  
ASSISTANT DIRECTOR/OPW  
BUREAU OF ENGINEERING AND CONSTRUCTION

Attachment A



## INTER OFFICE MEMORANDUM

**TO:** Si Lau,  
Transportation Engineer

**FROM:** Deborah Barnes, *Deborah Barnes*  
Director, Contracts & Compliance

**SUBJECT:** Compliance Analysis

**DATE:** May 24, 2016

Upper Broadway Road Diet Project and Citywide Rectangular Rapid Flashing Beacon  
Project No. C369550

City Administrator's Office, Contracts and Compliance Unit reviewed one (1) bid in response to the above referenced project. Below is the outcome of the compliance evaluation for the minimum 50% Local and Small Local Business Enterprise (L/SLBE) participation requirement, a preliminary review for compliance with the Equal Benefits Ordinance (EBO), and a brief overview of compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program by the lowest compliant bidder on their most recently completed City of Oakland project.

Compliant with L/SLBE and/or EBO Policies		Proposed Participation					Earned Credits and Discounts			EBO Compliant? Y/N
Company Name	Original Bid Amount	Total LBE/SLBE	LBE	SLBE	*VSLBE/LPG	L/SLBE Trucking	Total Credited participation	Earned Bid Discounts	Adjusted Bid Amount	
Ray's Electric	\$1,761,836.70	85.12 % *110.40%	0%	59.84%	25.28%	100.00%	*110.40%	NA	NA	Y

*\*Ray's Electric's proposed VSLBE/LPG participation value was 25.28%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value for Ray's Electric is 50.56%.*

**Comments:** As noted above, firm exceeded the minimum 50% L/SLBE participation requirement. Firm is EBO compliant. There was only one bidder. Therefore, bid discounts are not applicable.



**For Informational Purposes**

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

**Contractor Name:** Ray's Electric  
**Project Name:** Fruitvale Avenue controller Upgrade Modifications at Webster Street  
**Project No.** C427920

**50% Local Employment Program (LEP)**

Was the 50% LEP Goal achieved?	<b>Yes</b>	If no, shortfall hours?	N/A
Were all shortfalls satisfied?	<b>Yes</b>	If no, penalty amount	N/A

**15% Oakland Apprenticeship Program**

Was the 15% Apprenticeship Goal achieved?	<b>Yes</b>	If no, shortfall hours?	N/A
Were shortfalls satisfied?	<b>Yes</b>	If no, penalty amount	N/A

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E)# resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

Total Project Hours	50% Local Employment Program (LEP)							15% Apprenticeship Program				
	Core Workforce Hours Deducted	LEP Project Employment and Work Hours Goal		LEP Employment and Work Hours Achieved		# Resident New Hires	Shortfall Hours	% LEP Compliance	Total Apprenticeship Hours	Apprenticeship Goal and Hours		Apprentice Shortfall Hours
		Goal	Hours	Goal	Hours					Goal	Hours	
A	B	C		D		E	F	G	H	I		J
3164	0	50%	1582	100%	1582	NA	0	100%	475	15%	475	0

Should you have any questions, you may contact Sophany Hang, Contract Compliance Officer at (510) 238-3723.

CITY ADMINISTRATOR'S OFFICE



Contracts and Compliance Unit

**PROJECT COMPLIANCE EVALUATION FOR :**

Project No. C369550

RE:

**Upper Broadway Road Diet Project and Citywide Rectangular Rapid Flashing Beacon Project**

**CONTRACTOR:** Ray's Electric

<u>Engineer's Estimate:</u> \$1,606,360.43	<u>Contractors' Bid Amount</u> \$1,761,836.70	<u>Over/Under Engineer's Estimate</u> (\$155,476.27)
<u>Discounted Bid Amount:</u> \$1,761,836.70	<u>Amt. of Bid Discount</u> \$0.00	<u>Discount Points:</u> 0.00%
1. Did the 50% local/small local requirement apply:		<u>YES</u>
2. Did the contractor meet the 50% requirement		<u>YES</u>
a) % of LBE participation	<u>0.00%</u>	
b) % of SLBE participation	<u>59.84%</u>	
c) % of VSLBE participation	<u>25.28%</u>	
		50.56% (double counted value)
3. Did the contractor meet the Trucking requirement?		<u>YES</u>
a) Total L/SLBE trucking participation	<u>100.00%</u>	
a) Total VSLBE trucking participation	<u>0.00%</u>	
4. Did the contractor receive bid discount points?		<u>NA</u>
(If yes, list the points received)	<u>0%</u>	

5. Additional Comments.

There was only one bidder. Therefore, bid discounts are not applicable. Proposed VSLBE/LPG participation is valued at 25.28%, however, per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Therefore, the VSLBE/LPG value is 50.56%.

6. Date evaluation completed and returned to Contract Admin./Initiating Dept.

5/24/2016

Date

Reviewing Officer:

Date: 5/24/2016

Approved By:

Shelley Darenburg

Date: 5/24/2016

## LBE/SLBE Participation Bidder 1

Project Name:		Upper Broadway Road Diet Project and Citywide Rectangular Rapid Flashing Beacon Project												
Project No.: C369550		Engineer's Estimate 1,606,360.43				Under/Over Engineers Estimate: -155,476.27								
Discipline	Prime & Subs	Location	Cert. Status	LBE	SLBE	*VSLBE/LPG	Total LBE/SLBE	VSLBE Trucking (2x Value)	L/SLBE Trucking	Total Trucking	TOTAL Dollars	Ethnicity		
												Ethn	MBE	WBE
PRIME	Ray's Electric	Oakland	CB		1,042,709		1,042,709				1,042,709	C		
Striping/Signing	Chrisp Company	Fremont	UB								73,863	C		
Slurry Seal	Bond Blacktop Inc.	Union City	UB								11,375	O		
Trucking	S & S Trucking	Oakland	CB		11,640		11,640		11,640	11,640	11,640	H	11,640	
Supply	Central Concrete	San Jose	UB								34,000	C		
Storm pipe supply	San Jose Concrete Pipe	San Jose	UB								7,000	O		
SWPP	Global Environmental	Oakland	UB								5,000	O		
Supply of equipment	Jam Services	Livermore	UB								130,845	C		
AC Paving & AC Supply	Gallagher & Burk	Oakland	CB			445,405	445,405				445,405	C		
<b>Project Totals</b>				\$0.00 0.00%	\$1,054,348.70 59.84%	\$445,405.00 25.28%	\$1,499,753.70 85.12%	\$0.00 0.00%	##### 100.00%	\$11,640.00 100.00%	\$1,761,836.70 100.00%		\$11,640.00 0.66%	0.00 0.00%
<b>Requirements:</b> The 50% requirements is a combination of 25% LBE and 25% SLBE participation. An SLBE firm can be counted 100% towards achieving 50% requirements and a VSLBE/LPP firm can be counted double towards achieving the 50% requirement.												<b>Ethnicity</b> AA = African American A = Asian  AI = Asian Indian  AP = Asian Pacific  C = Caucasian AP - Asian Pacific H = Hispanic NA = Native American O = Other NL = Not Listed		
<b>Legend</b> LBE = Local Business Enterprise SLBE = Small Local Business Enterprise VSLBE = Very Small Local Business Enterprise LPG = Locally Produced Goods Total LBE/SLBE = All Certified Local and Small Local Businesses NPLBE = NonProfit Local Business Enterprise NPSLBE = NonProfit Small Local Business Enterprise														
												UB = Uncertified Business CB = Certified Business MBE = Minority Business Enterprise WBE = Women Business Enterprise		

\*\* Proposed VSLBE/LPG participation is valued at 25.28%, however per the L/SLBE Program a VSLBE/LPG's participation is double counted towards meeting the requirement. Double counted percentage is reflected on the evaluation form and cover memo.

**City of Oakland  
Public Works Agency  
CONTRACTOR PERFORMANCE EVALUATION**

Project Number/Title: C313610 – Citywide Traffic Signal Installation

Work Order Number (if applicable): \_\_\_\_\_

Contractor: Ray's Electric

Date of Notice to Proceed: March 23, 2009

Date of Notice of Completion: December 11, 2011

Date of Notice of Final Completion: December 11, 2011

Contract Amount: \$840,841

Evaluator Name and Title: James McGee

The City's Resident Engineer most familiar with the Contractor's performance must complete this evaluation and submit it to Manager, PWA Project Delivery Division, within 30 calendar days of the issuance of the Final Payment.

Whenever the Resident Engineer finds the Contractor is performing below Satisfactory for any category of the Evaluation, the Resident Engineer shall discuss the perceived performance shortfall at the periodic site meetings with the Contractor. An Interim Evaluation will be performed if at any time the Resident Engineer finds that the overall performance of a Contractor is Marginal or Unsatisfactory. An Interim Evaluation is required prior to issuance of a Final Evaluation Rating of Unsatisfactory. The Final Evaluation upon Final Completion of the project will supersede interim ratings.

The following list provides a basic set of evaluation criteria that will be applicable to all construction projects awarded by the City of Oakland that are greater than \$50,000. Narrative responses are required to support any evaluation criteria that are rated as Marginal or Unsatisfactory, and must be attached to this evaluation. If a narrative response is required, indicate before each narrative the number of the question for which the response is being provided. Any available supporting documentation to justify any Marginal or Unsatisfactory ratings must also be attached.

If a criterion is rated Marginal or Unsatisfactory and the rating is caused by the performance of a subcontractor, the narrative will note this. The narrative will also note the General Contractor's effort to improve the subcontractor's performance.

**ASSESSMENT GUIDELINES:**

<b>Outstanding</b> (3 points)	Performance among the best level of achievement the City has experienced.
<b>Satisfactory</b> (2 points)	Performance met contractual requirements.
<b>Marginal</b> (1 point)	Performance barely met the lower range of the contractual requirements or performance only met contractual requirements after extensive corrective action was taken.
<b>Unsatisfactory</b> (0 points)	Performance did not meet contractual requirements. The contractual performance being assessed reflected serious problems for which corrective actions were ineffective.

**WORK PERFORMANCE**

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
1	Did the Contractor perform all of the work with acceptable Quality and Workmanship?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1a	If problems arose, did the Contractor provide solutions/coordinate with the designers and work proactively with the City to minimize impacts? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Was the work performed by the Contractor accurate and complete? If "Marginal or Unsatisfactory", explain on the attachment and provide documentation. Complete (2a) and (2b) below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2a	Were corrections requested? If "Yes", specify the date(s) and reason(s) for the correction(s). Provide documentation.			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
2b	If corrections were requested, did the Contractor make the corrections requested? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Was the Contractor responsive to City staff's comments and concerns regarding the work performed or the work product delivered? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Were there other significant issues related to "Work Performance"? If Yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5	Did the Contractor cooperate with on-site or adjacent tenants, business owners and residents and work in such a manner as to minimize disruptions to the public. If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Did the personnel assigned by the Contractor have the expertise and skills required to satisfactorily perform under the contract? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Overall, how did the Contractor rate on work performance? The score for this category must be consistent with the responses to the questions given above regarding work performance and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

**TIMELINESS**

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
8	Did the Contractor complete the work within the time required by the contract (including time extensions or amendments)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	If "Marginal or Unsatisfactory", explain on the attachment why the work was not completed according to schedule. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Was the Contractor required to provide a service in accordance with an established schedule (such as for security, maintenance, custodial, etc.)? If "No", or "N/A", go to Question #8. If "Yes", complete (9a) below.			Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
9a	Were the services provided within the days and times scheduled? If "Marginal or Unsatisfactory", explain on the attachment and specify the dates the Contractor failed to comply with this requirement (such as tardiness, failure to report, etc.). Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Did the Contractor provide timely baseline schedules and revisions to its construction schedule when changes occurred? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Did the Contractor furnish submittals in a timely manner to allow review by the City so as to not delay the work? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Were there other significant issues related to timeliness? If yes, explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
13	<b>Overall, how did the Contractor rate on timeliness?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding timeliness and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	



**FINANCIAL**

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
14	Were the Contractor's billings accurate and reflective of the contract payment terms? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected invoices).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Were there any claims to increase the contract amount? If "Yes", list the claim amount. Were the Contractor's claims resolved in a manner reasonable to the City? Number of Claims: _____ Claim amounts: \$ _____ Settlement amount: \$ _____				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
16	Were the Contractor's price quotes for changed or additional work reasonable? If "Marginal or Unsatisfactory", explain on the attachment. Provide documentation of occurrences and amounts (such as corrected price quotes).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	Were there any other significant issues related to financial issues? If Yes, explain on the attachment and provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18	Overall, how did the Contractor rate on financial issues? The score for this category must be consistent with the responses to the questions given above regarding financial issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

**COMMUNICATION**

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
19	Was the Contractor responsive to the City's questions, requests for proposal, etc.? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	Did the Contractor communicate with City staff clearly and in a timely manner regarding:					
20a	Notification of any significant issues that arose? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20b	Staffing issues (changes, replacements, additions, etc.)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20c	Periodic progress reports as required by the contract (both verbal and written)? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20d	Were there any billing disputes? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
21	Were there any other significant issues related to communication issues? Explain on the attachment. Provide documentation.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
22	<b>Overall, how did the Contractor rate on communication issues?</b> <b>The score for this category must be consistent with the responses to the questions given above regarding communication issues and the assessment guidelines.</b> <b>Check 0, 1, 2, or 3.</b>	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

**SAFETY**

		Unsatisfactory	Marginal	Satisfactory	Outstanding	Not Applicable
23	Did the Contractor's staff consistently wear personal protective equipment as appropriate? If "No", explain on the attachment.				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24	Did the Contractor follow City and OSHA safety standards? If "Marginal or Unsatisfactory", explain on the attachment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Was the Contractor warned or cited by OSHA for violations? If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
26	26. Was there an inordinate number or severity of injuries? Explain on the attachment. If Yes, explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
27	Was the Contractor officially warned or cited for breach of U.S. Transportation Security Administration's standards or regulations? If "Yes", explain on the attachment.				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
28	<b>Overall, how did the Contractor rate on safety issues?</b> The score for this category must be consistent with the responses to the questions given above regarding safety issues and the assessment guidelines. Check 0, 1, 2, or 3.	0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>	

## OVERALL RATING

Based on the weighting factors below, calculate the Contractor's overall score using the scores from the four categories above.

1. Enter Overall score from Question 7     2 X 0.25 = 0.5
2. Enter Overall score from Question 13     2 X 0.25 = 0.5
3. Enter Overall score from Question 18     2 X 0.20 = 0.4
4. Enter Overall score from Question 22     2 X 0.15 = 0.3
5. Enter Overall score from Question 28     2 X 0.15 = 0.3

**TOTAL SCORE** (Sum of 1 through 5):     2

**OVERALL RATING:**     2

Outstanding: Greater than 2.5  
Satisfactory: Greater than 1.5 & less than or equal to 2.5  
Marginal: Between 1.0 & 1.5  
Unsatisfactory: Less than 1.0

### PROCEDURE:

The Resident Engineer will prepare the Contractor Performance Evaluation and submit it to the Supervising Civil Engineer. The Supervising Civil Engineer will review the Contractor Performance Evaluation to ensure adequate documentation is included, the Resident Engineer has followed the process correctly, the Contractor Performance Evaluation has been prepared in a fair and unbiased manner, and the ratings assigned by the Resident Engineer are consistent with all other Resident Engineers using consistent performance expectations and similar rating scales.

The Resident Engineer will transmit a copy of the Contractor Performance Evaluation to the Contractor. Overall Ratings of Outstanding or Satisfactory are final and cannot be protested or appealed. If the Overall Rating is Marginal or Unsatisfactory, the Contractor will have 10 calendar days in which they may file a protest of the rating. The Public Works Agency Assistant Director, Design & Construction Services Department, will consider a Contractor's protest and render his/her determination of the validity of the Contractor's protest. If the Overall Rating is Marginal, the Assistant Director's determination will be final and not subject to further appeal. If the Overall Rating is Unsatisfactory and the protest is denied (in whole or in part) by the Assistant Director, the Contractor may appeal the Evaluation to the City Administrator, or his/her designee. The appeal must be filed within 14 calendar days of the Assistant Director's ruling on the protest. The City Administrator, or his/her designee, will hold a hearing with the Contractor within 21 calendar days of the filing of the appeal. The decision of the City Administrator regarding the appeal will be final.

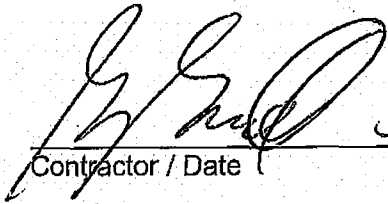
Contractors who receive an Unsatisfactory Overall Rating (i.e., Total Score less than 1.0) will be allowed the option of voluntarily refraining from bidding on any City of Oakland projects within one year from the date of the Unsatisfactory Overall Rating, or of being categorized as non-responsible for any projects the Contractor bids on for a period of one year from the date of the Unsatisfactory Overall Rating. Two Unsatisfactory Overall Ratings within any five year period will result in the Contractor being categorized by the City Administrator as non-

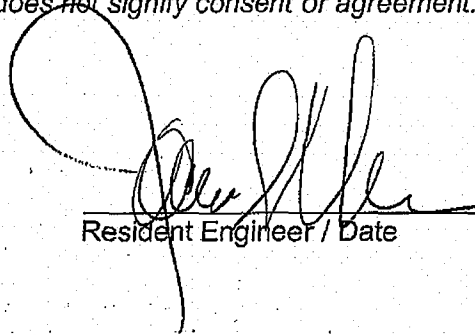
responsible for any bids they submit for future City of Oakland projects within three years of the date of the last Unsatisfactory overall rating.

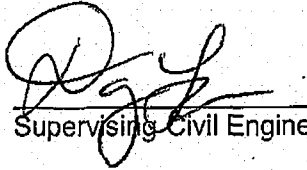
Any Contractor that receives an Unsatisfactory Overall Rating is required to attend a meeting with the City Administrator, or his/her designee, prior to returning to bidding on City projects. The Contractor is required to demonstrate improvements made in areas deemed Unsatisfactory in prior City of Oakland contracts.

The Public Works Agency Contract Administration Section will retain the final evaluation and any response from the Contractor for a period of five years. The City shall treat the evaluation as confidential, to the extent permitted by law.

**COMMUNICATING THE EVALUATION:** *The Contractor's Performance Evaluation has been communicated to the Contractor. Signature does not signify consent or agreement.*

 3/22/12  
Contractor / Date

 3/20/12  
Resident Engineer / Date

 03/21/12  
Supervising Civil Engineer / Date

**ATTACHMENT TO CONTRACTOR PERFORMANCE EVALUATION:**

Use this sheet to provide any substantiating comments to support the ratings in the Performance Evaluation. Indicate before each narrative the number of the question for which the response is being provided. Attach additional sheets if necessary.

## CITY OF OAKLAND



DALZIEL BUILDING . 250 FRANK H. OGAWA PLAZA . SUITE 4344 . OAKLAND . CALIFORNIA . 94612  
Office of Public Works TEL: (510) 238-3466  
Bureau of Engineering Design and Construction FAX: (510) 238-7415  
Division of Transportation Planning and Funding

### NOTICE OF PUBLIC HEARING

Regarding (1) Upper Broadway Road Diet Project, Involving Restriping of Travel Lanes to Remove a Travel Lane and Install Bike Lanes on Broadway (Broadway Terrace to Ocean View Dr) and Other Related Safety and Operational Changes; and (2) Rockridge Safe Routes to Transit Project, Involving Restriping of Travel Lanes to Remove Travel Lanes and Install Bike Lanes on College Ave (Manila Ave to Kales Ave) and Keith Ave (east of College Ave) and Other Safety and Operational Changes

Notice is hereby given that on **Monday, April 18, 2016 at 7:00 pm**, at the College Avenue Presbyterian Church, 5951 College Ave., Oakland, CA., the Oakland Public Works Department will hold a public hearing to consider the Upper Broadway Road Diet Project and the Rockridge Safe Routes to Transit Project, as described below.

The Upper Broadway Road Diet Project would install bike lanes on Broadway between Broadway Terrace and Keith Ave by removing a travel lane in each direction, and include a two-way center left turn lane to address traffic operations. The project would also include enhancement of pedestrian crossings via pedestrian-activated yield and stop signals for vehicles, and median and sidewalk extensions.

The Rockridge Safe Routes to Transit Project would install bikeways on College Ave between Broadway and Oakland City limit, on Shafter Ave from Forest St to College Ave, on Keith Ave east of College Ave, and on Miles Ave west of College. Installation of bike lanes on one block of College Ave (Manila Ave to Kales Ave) and portions of Keith Ave (east of College Ave) include the removal of a travel lane. The project would also include enhancement of pedestrian crossings via sidewalk extensions, and the removal of the slip lane on Miles Ave at College Ave.

The projects are exempt from California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.20.5 (restriping of streets for bicycle lanes). On a separate and independent basis, the projects are 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), each providing a separate and independent basis for CEQA compliance.

All interested parties are welcome to attend and present comments on the proposed projects. If you challenge the proposed projects in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Public Works Department prior to the public hearing (received no later than 4:00 pm on April 18, 2016).

For more information, contact Si Lau, at (510) 238-6105 or by email at [slau@oaklandnet.com](mailto:slau@oaklandnet.com). Written comments may be addressed to Oakland Public Works, Transportation Services Division, 250 Frank Ogawa Plaza, Suite 4344, Oakland, CA 94612, or at [slau@oaklandnet.com](mailto:slau@oaklandnet.com) and must be received no later than 4:00 pm. on Monday, April 18, 2016.

**OT #5702656; Apr. 1, 2016**

## Response to Comments Received on the Upper Broadway Road Diet Project

On April 1, 2016, the City published notice of a public hearing on April 18, 2016, to consider the proposed restriping of travel lanes to remove travel lanes and install bike lanes on Broadway between Broadway Terrace and Keith Avenue. No written comments were received in response to the April 1 notice. The public hearing on April 18 was held in the College Avenue Presbyterian Church, 5951 College Ave, Oakland, with 50 people attending. Overall, fifteen written comments were received with one supports, eleven oppose, and three commented to the project. The following provides a summary of the comments received and responses provided at the public hearing:

- 1. Opposes lane reduction on Upper Broadway. Removing lanes in both directions will compound existing congestion and will complicate his ability to drive to/from Broadway. Hasn't seen many bicyclists in corridor so objects to lane conversion. Supports bike lanes, but not reducing traffic lanes in a corridor where there's no real alternative for cars. Benefits bicyclists, but there are few on upper Broadway. Doesn't feel that project will attract many bicyclists and the benefit to them does not outweigh drawbacks to motorists.**

Response: Traffic studies show no significant impact to traffic. Project was initiated in response to neighborhood complaints about inability to cross Broadway safely on foot. Its primary goal is to make these crossings safer; a secondary benefit is to improve bike safety. In other projects around Oakland, we find that when we improve bike facilities, more cyclists use them. Safety benefit to all users far outweigh small delay.

- 2. Opposes project. Will be like Keith Ave, where bike lane has increased congestion and no bikes use it. Compares to lane reduction on Keith Avenue, which she calls a complete failure and asks it to be returned to former striping. New bike lane on Keith is a major folly: traffic idles while no bikes ever pass. Compares to lane reduction on Keith Avenue, which she asks be analyzed before implementing this project. Demographics and geography of area will preclude people from biking.**

Response: Traffic studies show no significant impact to traffic. Keith Ave bike lane was striped in response to residents' complaints about excessive speeding. City tried posting speed limit, using speed feedback signs and striping a high visibility crosswalk at Presley, but none slowed speeds. City then implemented road diet, which eliminated one travel lane and added a bike lane (consistent with City bike plan). This slowed traffic. In response to longer-than-necessary queues, City reverted to original striping closest to Broadway to create more vehicle storage at signal. Staff returns to this location periodically during the peak period to assess the situation and will continue to monitor as needed.

- 3. Opposes project. Concerned that project will impede fire and emergency access, as Keith Ave bike lanes have hindered fire trucks from Miles St firehouse. The already implemented bike lane on Keith, where at Presley and Keith, fire engines are potentially blocked in the underpass on Presley from access to Keith is troubling. The Broadway road diet will add congestion and the situation for the fire engines will get worse. It will**



**create an extreme bottleneck in the morning and late afternoon and will impede emergency access.**

Response: Traffic studies show no significant impact to traffic. OFD supports project because 2-way turn lane will improve emergency response during congested periods where emergency vehicles will be able to use center turn lane when travel lane is occupied.

- 4. Opposes project. Broadway at Ocean View is already extremely congested 8-9am and 5-6pm. Will be much worse with fewer traffic lanes. Even with 2 northbound lanes on Broadway, traffic backs up to 51st Street due to problems on Hwy 24; will be worse with project. Concerned that backup on Broadway will block emergency access to Ocean View Drive. Requests "KEEP CLEAR" at the intersection.**

Response: Traffic studies show no significant impact to traffic. Project design includes "KEEP CLEAR" at Ocean View.

- 5. Please include "DO NOT BLOCK INTERSECTION" legend at each intersection so left-hand turning can take place.**

Response: CA vehicle code prohibits blocking the intersection. Would prefer to wait to see if motorists block intersection, then can easily paint "KEEP CLEAR".

- 6. Supports project, especially HAWK signal at Broadway/Lawton. Requests "KEEP CLEAR" at Broadway/Lawton/Rockridge Blvd intersection; otherwise, backed up traffic in either direction will block access to Rockridge Blvd.**

Response: CA vehicle code prohibits blocking the intersection. Given proximity of this intersection to freeway onramps, will add "KEEP CLEAR" in northbound intersection to design.

- 7. Opposes project. Feels that lane configuration on BT (Broadway Terrace) has created bumper-to-bumper conditions and will do the same on Broadway, or worse because Broadway is used more.**

Response: Traffic studies show no significant impact to traffic.

- 8. Objects to concrete pedestrian refuge islands on Broadway at Kales and Ada because they will make left turns more difficult, while adding negligible additional pedestrian safety.**

Response: Refuge islands are meant to protect pedestrians crossing Broadway. They are designed not to impede left turns from eastbound Ada and Kales onto Broadway.



**Public Works Department**  
**Transportation Planning and**  
**Funding Division**  
**Bureau of Construction and Engineering**

## Memorandum

To: Wladimir Wlassowsky, Transportation Services Division Manager  
 From: Si Lau, Transportation Engineer  
 Date: June 7, 2016  
 Re: CEQA Determination for Upper Broadway Road Diet Project

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This memorandum documents the environmental determination under the California Environmental Quality Act (CEQA) for the proposed Upper Broadway Road Diet Project on Broadway from Broadway Terrace to Keith Avenue. As detailed below, the Project is exempt from CEQA pursuant to Public Resources Code Section 21080.20.5, and on a separate and independent basis, the Project is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183, 15301(c), 15304(h), and/or 15061(b)(3).

Construction of the Project is anticipated in fall 2016 in conjunction with the scheduled resurfacing of the street. The Project would install bike lanes on Broadway between Broadway Terrace and Keith Avenue by removing a travel lane in each direction, and include a two-way center left turn lane to address traffic operations. The project would also include enhancement of pedestrian crossings via pedestrian-activated yield and stop signals for vehicles, and median and sidewalk extensions.

Pursuant to Public Resources Code Section 21080.20.5, the Project is exempt from CEQA because the following three requirements have been met. First, the Project consists of the restriping of streets and highways for bicycle lanes in an urbanized area that is consistent with a bicycle transportation plan prepared pursuant to Section 891.2 of the Streets and Highways Code. As described above, the Project will restripe segments of Broadway to include bicycle lanes in an urbanized area. The Project is consistent with both the General Plan and the City's Bicycle Master Plan (BMP) which calls for "bicycle safety and access improvements in roadway resurfacing, realignment, and reconstruction projects" (BMP, Action 1B.1, p. 55). The Project will add eight blocks to the Proposed Bikeway Network, extending the proposed bikeway to the east from Broadway Terrace to Keith Avenue. These bicycle lanes on Broadway between Broadway Terrace to Keith Avenue are consistent with the Bicycle Master Plan's planning criteria for the Proposed Bikeway Network (BMP, pp. 66-67) and the Plan's Infrastructure policies (BMP, pp. 54-56). The City's Bicycle Master Plan was prepared pursuant to Section 891.2 of the Streets and Highways Code (BMP, Appendix A, p. 119).

Second, the City prepared an assessment of any traffic and safety impacts of the Project and included measures in the Project to mitigate potential vehicular traffic impacts and bicycle and pedestrian safety impacts: "Upper Broadway Road Diet" (May 19, 2016). Specifically, the study found that the resulting travel lane configuration is sufficient for accommodating motor vehicle

traffic. The excess travel lane is being removed to improve bicyclist and pedestrian safety. Thus no impacts were identified to vehicular traffic, bicycle safety, or pedestrian safety. By design, the project improves safety for all modes by separating bicyclists from motor vehicles (including buses) and by reducing the number of travel lanes at crosswalks. Specifically, the Upper Broadway Road Diet project will address a history of collisions between motor vehicles and pedestrians at Broadway and Lawton Ave. By reducing the number of travel lanes, the Project will promote lower speeds for traffic exiting and entering Highway 24 and entering Downtown via Broadway.

Third, the City held a noticed public hearing in areas affected by the Project to hear and respond to public comments. The public hearing was held on April 18, 2016 at the College Avenue Presbyterian Church, 5951 College Ave, Oakland, California, in close proximity to Broadway. On April 1, 2016, the City published notice of the public hearing – as required by Section 6061 of the Government Code – in the Oakland Tribune, a newspaper of general circulation in the area affected by the proposed Project. In addition, on April 9, 2016, notice of the meetings was posted on the Rockridge News, a local newsletter.

On a separate and independent basis, the Project is also exempt from CEQA pursuant CEQA Guidelines Sections 15183 (projects consistent with a Community Plan, General Plan, or Zoning), 15301(c) (existing facilities), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the Environment). Under Section 15183, the Project is consistent with the Bicycle Master Plan and the Oakland General Plan; the City certified EIRs for both Plans. Under Section 15301(c), the Project consists of the minor alteration of existing public streets involving negligible or no expansion of use: bicyclists currently use the roadways and are legally allowed to do so. The reconfigurations of the roadways are each minor alterations to accommodate better the existing uses: the conveyance of people and goods by multiple modes of transportation. Under Section 15304(h), the projects consist of the creation of bicycle lanes on existing rights-of-way. Under Section 15061(b)(3), the project is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

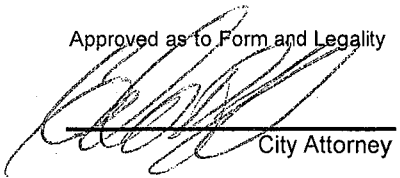
The Project is not subject to the Bicycle Master Plan feasibility study requirements enumerated in the Plan's Appendix G (BMP, pp. 157-159). These requirements were developed in conjunction with the program EIR for the Bicycle Master Plan to ensure clear guidelines for bikeway projects relying upon this EIR. The study requirements are specific to the CEQA process and only apply to projects relying upon the EIR for their environmental clearance. The BMP states, "The following requirements for bikeway feasibility studies provide a framework for the development and implementation of segments on the proposed bikeway network as described by the Bicycle Master Plan... *These requirements provide the mechanism for the environmental clearance of the proposed bikeways* in that the application of these requirements would result in the identification and mitigation of potential impacts as described in the associated program EIR" (BMP, p. 157, emphasis added).

As a program EIR, the BMP EIR establishes a generalized framework for the environmental review of a category of projects – bicycle projects – to be developed and studied over time through the implementation of the BMP. The BMP and its EIR thus were written as companion documents to create a single framework. Reliance on the program EIR for particular projects depends upon completing a bikeway feasibility study that satisfies the study requirements. The

structure of the program EIR matches the outcome of such studies, allowing for the identification and mitigation of impacts (if needed).

All bikeway projects are either subject to the requirements of the EIR or receive environmental clearance under one or more exemptions, or rely upon a project-specific environmental document that is separate from the BMP's program EIR. Projects relying on exemptions or a separate project-specific environmental document – such as the Broadway bicycle lanes – are not subject to the study requirements of the BMP program EIR as listed in Appendix G of the BMP. The proposed Project is relying on separate and independent bases on the exemptions specified by Public Resources Code Section 21080.20.5 and/or CEQA Guidelines Sections 15183, 15301(c), 15304(h), and/or 15061(b)(3). The Project's environmental clearance under these exemptions is independent of the BMP program EIR and the applicable requirements are those of the exemptions, not those of the BMP program EIR.

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
City Attorney

2016 JUN 30 AM 11:47 **OAKLAND CITY COUNCIL**

**RESOLUTION No. \_\_\_\_\_ C.M.S.**

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION: 1) AUTHORIZING THE REMOVAL OF TRAVEL LANES AND THE INSTALLATION OF CLASS II BICYCLE LANES ON BROADWAY FROM BROADWAY TERRACE TO KEITH AVENUE; 2) AWARDED A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC, THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS FOR UPPER BROADWAY ROAD DIET AND CITYWIDE RECTANGULAR RAPID FLASHING BEACON PROJECT (PROJECT NO. C369550) AND WITH CONTRACTOR'S BID IN THE AMOUNT OF ONE MILLION SEVEN HUNDRED SIXTY-ONE THOUSAND EIGHT HUNDRED THIRTY-SIX DOLLARS AND SEVENTY CENTS (\$1,761,836.70); AND 3) ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION FINDINGS**

**WHEREAS**, the City of Oakland's Bicycle Master Plan was adopted by City Council on December 7, 2007 as part of the Land Use and Transportation Element of the City's General Plan and reaffirmed by City Council on December 4, 2012; and

**WHEREAS**, the City of Oakland's Bicycle Master Plan calls for the implementation of a citywide network of bikeways to connect downtown, transit stations, commercial districts, neighborhoods, and the waterfront; and

**WHEREAS**, the Bicycle Master Plan identifies Broadway from Broadway Terrace to Keith Avenue as a proposed bikeways; and

**WHEREAS**, the Complete Streets Policy for the City of Oakland was adopted by City Council on February 5, 2013 and the Policy calls for the incorporation of bicycle lanes in reconstruction and maintenance projects to create a connected network of facilities for bicyclists; and

**WHEREAS**, Action 1B.1 of the Bicycle Master Plan states, "Include bicycle safety and access improvements in roadway resurfacing, realignment, and reconstruction projects"; and

**WHEREAS**, Broadway from Broadway Terrace to Keith Avenue will be resurfaced and have been designed to include useful bikeway connections; and

**WHEREAS**, the installation of bicycle lanes on Broadway would reduce the number of travel lanes from four (4) through lanes to three travel lanes from Broadway Terrace to Keith Avenue,

would include a two-way center left turn lane to address traffic operations and would also include enhancement of pedestrian crossings via pedestrian-activated yield and stop signals for vehicles, and median and sidewalk extensions (“Project”); and

**WHEREAS**, the Project is consistent with the City’s General Plan, Bicycle Master Plan, and Complete Streets Policy; and

**WHEREAS**, as required by Public Resources Code section 21080.20.5, the City, in part, has prepared an assessment of traffic and safety impacts of the Project, which concluded that the Project will have negligible impacts on traffic operations and will not result in a decrease in safety for any travel mode; and

**WHEREAS**, City Council has directed staff to prepare reports for their approval when bicycle projects require the reduction of travel lanes on a roadway; and

**WHEREAS**, in accordance with Government Code section 6061, on April 1, 2016, the City published notice of public hearing on April 18, 2016, to consider the proposed Project ; that notice was published in the Oakland Tribune, a newspaper of general circulation in the area affected by the proposed Project; and

**WHEREAS**, as required by Public Resources Code section 21080.20.5, on April 18, 2016, the City held duly noticed public hearing to hear and respond to public comments on the Project; the hearing was held at College Avenue Presbyterian Church (5951 College Ave), which is in close proximity to area affected by the Project; and

**WHEREAS**, after a duly noticed public meeting, on July 12, 2016, the Public Works Committee voted to recommend the proposal to the City Council; and

**WHEREAS**, on July 19, 2016, the City Council considered the proposed Project; and

**WHEREAS**, the proposed Project is exempt from the California Environmental Quality Act (“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); each of the aforementioned provides a separate and independent basis for CEQA compliance; and

**WHEREAS**, on May 19, 2016, the City Clerk received one bid from Ray’s Electric for the construction Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project in the amount of \$1,761,836.70; and

**WHEREAS**, Ray’s Electric is deemed the lowest, responsive and responsible bidder for the Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project, and the bid exceeded the Local and Small Local Business Enterprise (L/SLBE) participation requirement; and

**WHEREAS**, the engineer’s estimate for the work is \$1,606,360.43; and

**WHEREAS**, there is sufficient fund in the project budget for the work; and

- \$1,049,879.00 from Measure BB Local Streets and Roads Fund (2216); Streets and Structures Organization (92242); Street Construction Account (57411); Citywide Street Resurfacing (C491141);
- \$238,029.00 from California Department of Transportation (2140); Transportation Services Organization (92246); Street Construction Account (57411); Caldecott Settlement Projects - Broadway at Lawton (C369550);
- \$306,435.00 from Measure BB Local Streets and Roads Fund (2216); Streets and Structures Organization (92246); Signal and Safety Devices Account (57412); Traffic Signal Management (C491140);
- \$318,454.00 from Measure B Local Streets and Roads Fund (2211); Streets and Structures Organization (92246); Signal and Safety Devices Account (57412); Transportation and Pedestrian Improvements (C371410);
- \$70,914.00 from Measure BB Local Streets and Roads Fund (2216); Infrastructure Planning and Funding Organization (92260); Street Construction Account (57411); Pedestrian Facilities (C491230);
- \$42,382.00 from Measure BB Local Streets and Roads Fund (2216); Infrastructure Planning and Funding Organization (92260); Street Construction Account (57411); Bike Facilities (C491220);

**WHEREAS**, the City Council finds that the City lacks the equipment and qualified personnel to perform the necessary work and that the performance of this contract is in the public interest because of economy or better performance; and

**WHEREAS**, the City Administrator has determined that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore be it

**RESOLVED:** That the contract for the construction of Upper Broadway Road Diet and Citywide Rectangular Rapid Flashing Beacon Project is hereby awarded to Ray's Electric, the lowest, responsible, responsive bidder, in accordance with project plans and specifications in the amount of One Million Seven Hundred Sixty-One Thousand Eight Hundred Thirty-Six Dollars and Seventy Cents (\$1,761,836.70); and be it

**FURTHER RESOLVED:** That the City Council authorizes the installation of bicycle lanes on Broadway by reducing the number of travel lanes from four (4) through lanes to three travel lanes from Broadway Terrace to Keith Avenue; and be it

**FURTHER RESOLVED:** That the plans and specifications prepared including any subsequent changes during construction, that will be reviewed and adopted by the Director of Public Works or designee for this project are hereby approved; and be it

**FURTHER RESOLVED:** That the contractor shall provide a faithful performance bond and payment bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act for one hundred percent (100%) of the contract amount prior to execution of the contract; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is hereby authorized to enter into a contract with Ray's Electric on behalf of the City of Oakland and execute any amendment or modifications to said agreement within the limitations of the project specifications; and be it

**FURTHER RESOLVED:** That the contract shall be reviewed and approved by the City Attorney for form and legality and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That this Resolution complies with CEQA and the City Administrator or designee shall file a Notice of Exemption with appropriate agencies.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California