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OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND 2014 FEB 27 PM 1:51

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Brooke A. Levin
Interim Director, PWA

SUBJECT: Seismic Retrofit of Coliseum Way
Bridge

DATE: February 14, 2014

City Administrator
Approval

Date:

2/17/14

COUNCIL DISTRICT: 7

RECOMMENDATION

Staff recommends that the City Council adopt a resolution waiving advertising and competitive bidding and increasing the amount of the contract with Disney Construction, Inc. for the Seismic Retrofit of Coliseum Way Bridge (Project No. C346810) by One Hundred Ninety Thousand Six Hundred Twelve Dollars (\$190,612.00) for a not-to-exceed amount of Three Million Eight Hundred Fifty Thousand Dollars (\$3,850,000.00).

OUTCOME

Approval of this resolution will authorize the City Administrator to execute additional change orders in the amount of \$190,612.00 to the construction contract with Disney Construction, Inc. for the Seismic Retrofit of Coliseum Way Bridge over Damon Slough Project for a total contract amount of \$3,850,000.00.

The City Council has already authorized the acceptance and appropriation of additional Federal Highway Administration and State Proposition 1B funds for the project to cover the cost increase under Resolution No. 84723 C.M.S. dated November 19, 2013. The California Department of Transportation (Caltrans) will obligate these additional funds into the project by March 30, 2014. Additional funding for this cost increase will be available in:

- Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project C346810.

The work is located in Council District 7 as shown in *Attachment A*.

BACKGROUND/LEGISLATIVE HISTORY

On March 5, 2013, the City Council approved and authorized a construction contract with Disney Construction, Inc. in the amount of \$2,814,914.00 in accordance with Resolution No. 84229 C.M.S. On November 19, 2013, the City Council approved and authorized an increase to the construction

Item: _____
Public Works Committee
March 11, 2014

MARCH 11, 2014

contract to a not-to-exceed amount of \$3,659,388.00 in accordance with Resolution No. 84722 C.M.S.

Staff has secured approval for full funding from Caltrans for the original construction contract and the increases to the contract for a total construction amount of up to \$3,986,388.00. The City Council already approved the acceptance and appropriation of these funds by Resolution No. 84230 C.M.S. on March 5, 2013 and Resolution No. 84723 C.M.S. on November 19, 2013. A summary of the additional work is outlined below:

- 1) **Change order work authorized to-date:** Additional work totaling \$844,474.00 (30% of the original contract amount) has been authorized to date and includes work associated with stabilization of soil under the north abutment due to seepage of water, mitigation of conflict between new pile location and existing wing wall, repair of damaged bent caps, placing new pavement on the bridge surface between the abutments, and additional costs needed to coordinate work with scheduled events at the Coliseum. These were conditions that could not have been foreseen during the design phase of the project and beyond what was anticipated for a structure of this type.
- 2) **Additional change order work needed to complete the project:** Staff is requesting an increase to the construction contract in the amount of \$190,612.00 to pay for additional work identified since staff wrote the last agenda report. This additional work will close out the project. The work includes additional bent cap repairs due to severely deteriorated concrete and rusted rebars and upgrading the new fencing at the request of the Oakland-Alameda County Coliseum Authority. Caltrans has approved funding for all additional work.

ANALYSIS

The Coliseum Bridge provides the primary access to the Oakland Alameda County Coliseum Complex. It is located over Damon Slough, a waterway that is subject to environmental permits which limit construction work to the period from June 15 through November 30 of each year. The Coliseum hosts an array of events including sports, concerts, shows, and other events.

In addition to the above permit constraints, significant changes to the contractor's operations were needed in order to fully coordinate the bridge retrofit work with the Coliseum scheduled events. Staff met with high-ranking sports team officials at the beginning of construction to confirm scheduled events. The contractor revised the construction schedule to maintain adequate access to the Coliseum. The primary change that most impacted cost was a requirement for full bridge access during certain high-attendance games, which required the contractor to accelerate work and completely remove construction equipment and reopen all lanes several days a week.

Additional work was required to successfully complete the project totaling \$190,612.00. This work includes additional bent cap repairs due to severely deteriorated concrete and rusted rebars and upgrading the new fencing at the request of the Oakland-Alameda County Coliseum Authority.

Section 2.04.050.I.5 of the Oakland Municipal Code (the "OMC") authorizes the City Council to waive the advertising and competitive bidding requirements of OMC Section 2.04.050 upon a

Item: _____
Public Works Committee
March 11, 2014

March 11, 2014

finding and determination that it is in the best interests of the City to do so. It is in the best interests of the City to waive the advertising and competitive bidding requirements of OMC Section 2.04.050 because it will (1) allow staff to implement additional enhancements along with the original work as required by the federal grant, and (2) maintain continuity and minimize costly delays and disruption during the middle of project construction.

PUBLIC OUTREACH/INTEREST

This resolution is for increasing the amount of a construction contract. No public outreach or interest has been identified.

COORDINATION

PWA drafted this Agenda Report and the City Attorney and Budget Office have reviewed it.

COST SUMMARY/IMPLICATIONS

Approval of this resolution will authorize the City Administrator to execute additional change orders in the amount of \$190,612.00 to the construction contract with Disney Construction, Inc. for the Seismic Retrofit of Coliseum Way Bridge over Damon Slough Project for a total contract amount of \$3,850,000.00.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

COST ELEMENT	AMOUNT
Contractor's bid price	\$2,814,914.00
Change orders (approved by City Council)	\$844,474.00
Additional change orders (requesting City Council approval)	\$190,612.00
TOTAL CONSTRUCTION COST	\$3,850,000.00

2. COST ELEMENTS OF AGREEMENT/CONTRACT: \$2,814,914.00.

3. SOURCE OF FUNDING:

CONSTRUCTION CONTRACT FUNDING SOURCE	AMOUNT
Contract Amount: Federal Highway Administration (FHWA) - Highway Bridge Program (HBP) funding; Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project C346810	\$2,814,914.00
Change Orders: Federal Highway Administration (FHWA) - Highway Bridge Program (HBP) funding; Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project C346810	\$1,035,086.00
TOTAL CONSTRUCTION CONTRACT FUNDS	\$3,850,000.00

Item: _____
Public Works Committee
March 11, 2014

Item: _____
Public Works Committee
March 11, 2014

4. FISCAL IMPACT:

Staff has secured approval from Caltrans for additional federal and State Proposition 1B funding to cover the increased contract amount. Caltrans will obligate those additional funds into the project by March 30, 2014. With those additional funds, the total grant approved by Caltrans is in the amount of \$4,529,986.00 to cover the construction cost, all change orders, and project management. The City Council has already approved the acceptance and appropriation of these funds under Resolution No. 84723 C.M.S. dated November 19, 2013.

Approval of this resolution will authorize the City Administrator to execute additional change orders in the amount of \$190,612.00 to the construction contract with Disney Construction, Inc. for the Seismic Retrofit of Coliseum Way Bridge over Damon Slough Project for a total contract amount of \$3,850,000.00.

The City is currently responsible for maintenance of this bridge. The maintenance responsibility will continue, but maintenance costs should be reduced after the rehabilitation under this contract.

SUSTAINABLE OPPORTUNITIES

Approval of this resolution authorizes an increase in the construction contract for the Seismic Retrofit of Coliseum Way Bridge. Sustainable opportunities were fully discussed in the previous report to the City Council.

For questions regarding this report, please contact Gus Amirzehni, Engineering Design and Right-of-Way Manager, 510-238-6601.

Respectfully submitted,



BROOKE A. LEVIN
Interim Director, Public Works Agency

Reviewed by:
Michael Neary, P.E., Assistant Director,
PWA, Department of Engineering and Construction

Reviewed by:
Gus Amirzehni, P.E., Engineering Design and R.O.W.
Division Manager

Prepared by:
Jaime Heredia, P.E., Supervising Civil Engineer
Engineering Design and R.O.W Management Division

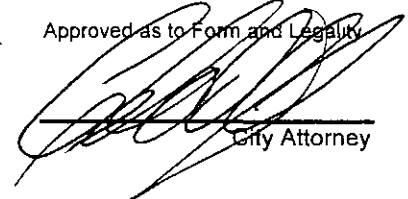
Attachments: Attachment A - Project Location Map

Item: _____
Public Works Committee
March 11, 2014

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2014 FEB 27 PM 1:51

OAKLAND CITY COUNCIL



City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION WAIVING ADVERTISING AND COMPETITIVE BIDDING AND INCREASING THE AMOUNT OF THE CONTRACT WITH DISNEY CONSTRUCTION, INC. FOR THE SEISMIC RETROFIT OF COLISEUM WAY BRIDGE (PROJECT NO. C346810) BY ONE HUNDRED NINETY THOUSAND SIX HUNDRED TWELVE DOLLARS (\$190,612.00) FOR A NOT-TO-EXCEED AMOUNT OF THREE MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$3,850,000.00)

WHEREAS, on July 18, 2011, the California Department of Transportation (Caltrans) approved the construction phase of the Seismic Retrofit of Coliseum Way Bridge (Project No. C346810) and awarded the City of Oakland a grant of federal and State Proposition 1B funds in the amount of \$3,601,059.00; and

WHEREAS, a contract for construction was awarded to Disney Construction, Inc. on March 5, 2013 in the amount of \$2,814,914.00 and executed in accordance with Resolution No. 84229 C.M.S.; and

WHEREAS, Staff has secured approval from Caltrans for additional federal and State Proposition 1B funding to cover the increased construction cost, change orders, and additional project management for a total grant amount of up to \$4,529,986.00, which was approved by the City Council for acceptance and appropriation under Resolution No. 84723 C.M.S. dated November 19, 2013; and

WHEREAS, on November 19, 2013, the City Council approved and authorized an increase to the construction contract to a not-to-exceed amount of \$3,659,388.00 in accordance with Resolution No. 84722 C.M.S.; and

WHEREAS, due to many unforeseen and changed field conditions, additional change orders in the amount of \$190,612.00 are needed to successfully complete the project; and

WHEREAS, sufficient funding will be available in the project budget to cover the original contract amount and change orders in the following accounts:

- \$3,850,000.00: Department of Transportation Fund (2116); Engineering Design: Streets & Structures Organization (92242); Street Construction Account (57411); Project C346810; and

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

WHEREAS, the City Council finds and determines that the performance of this additional work shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

WHEREAS, Section 2.04.050.I.5 of the Oakland Municipal Code (the "OMC") authorizes the City Council to waive the advertising and competitive bidding requirements of Section 2.04.050 upon a finding and determination that it is in the best interests of the City to do so; now, therefore, be it

RESOLVED: That the City Council hereby finds and determines that pursuant to OMC Section 2.04.050.I.5, that it is in the best interests of the City to waive the advertising and competitive bidding requirements of the OMC and increase the amount of the contract with Disney Construction, Inc. for the Seismic Retrofit of Coliseum Way Bridge (Project No. C346810) by One Hundred Ninety Thousand Six Hundred Twelve Dollars (\$190,612.00) for a not-to-exceed amount of Three Million Eight Hundred Fifty Thousand Dollars (\$3,850,000.00), because it is vital to the project to do so in order to: (1) allow staff to implement additional enhancements along with the original work as required by the federal grant, and (2) maintain continuity and minimize costly delays and disruption during the middle of ongoing project construction and completion; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to increase the amount of the contract with Disney Construction, Inc. for the Seismic Retrofit of Coliseum Way Bridge (Project No. C346810) by One Hundred Ninety Thousand Six Hundred Twelve Dollars (\$190,612.00) for a not-to-exceed amount of Three Million Eight Hundred Fifty Thousand Dollars (\$3,850,000.00).

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, and
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST. _____

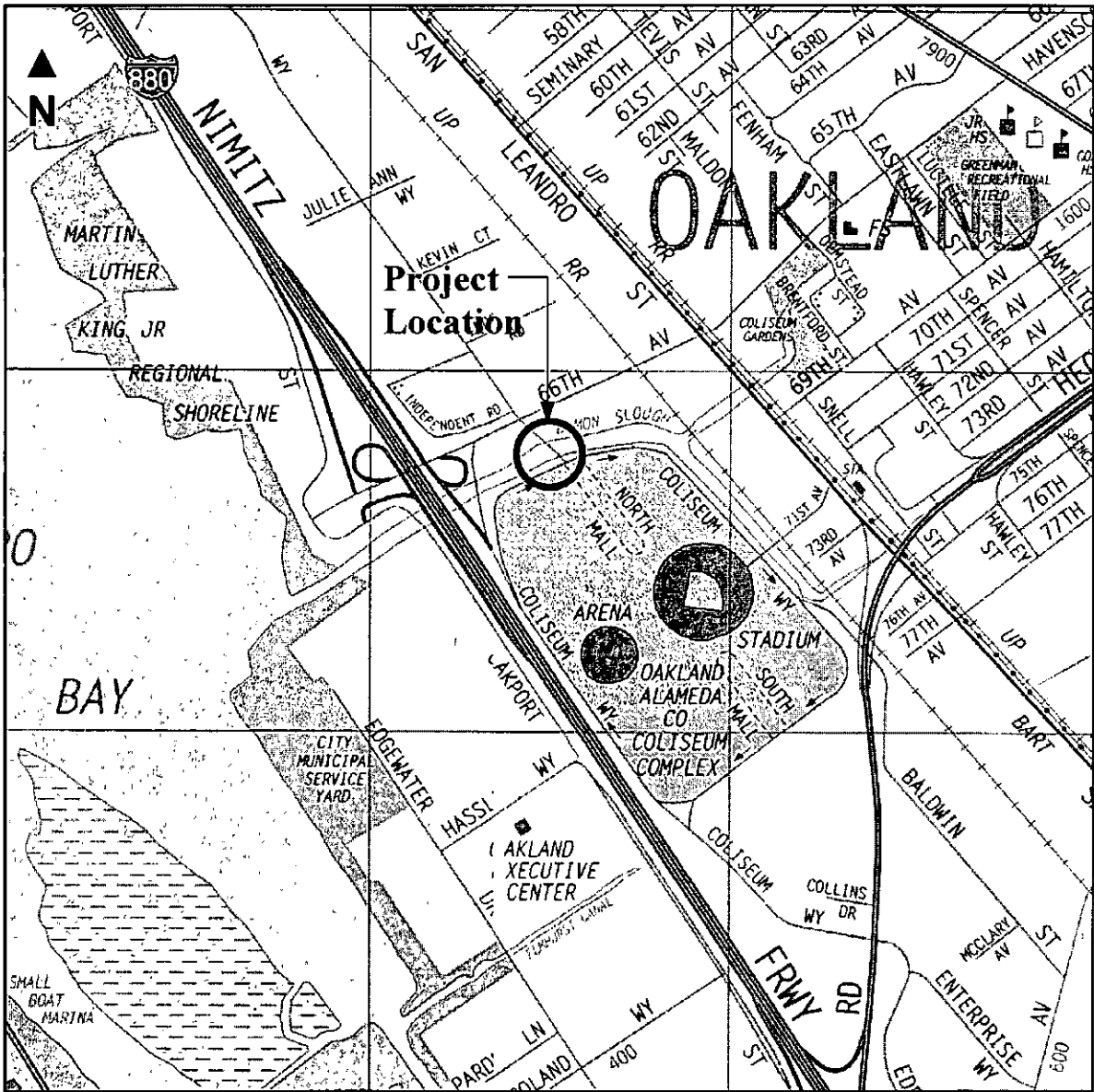
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Attachment A

The Seismic Retrofit of Coliseum Way Bridge (Project No. C346810)

Location Map

Not to Scale



4

PUBLIC WORKS CMTE.

MAR 11 2014