



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Ryan Russo  
Director, Oakland  
Department Of  
Transportation

**SUBJECT:** Contract Award for Highway Safety  
Improvement Program (HSIP) Cycle  
9, Foothill Boulevard and MacArthur  
Boulevard Improvements

**DATE:** May 13, 2022

City Administrator Approval 

Date: Jun 21, 2022

## **RECOMMENDATION**

Staff Recommends That The City Council Adopt A Resolution Awarding A Construction Contract To Ray's Electric Inc. For Highway Safety Improvement Program (HSIP) Cycle 9, Foothill Boulevard and MacArthur Boulevard Improvements Project, Project No. 1004700, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of One Million Seven Hundred and Eighty Three Thousand and Twenty-One Dollars and Twenty-Five Cents. (\$1,783,021.25); And Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

## **EXECUTIVE SUMMARY**

Approval of this resolution would award a construction contract of \$1,783,021.25 to Ray's Electric Inc., the lowest, responsible, responsive bidder, for Highway Safety Improvement Program (HSIP) Cycle 9, Foothill Boulevard and MacArthur Boulevard Safety Improvement Project, Project No. 1004700 to implement safety improvements for pedestrians and bicyclists at various intersections and mid-block locations along Foothill Boulevard between Harrington Avenue and Cole Street, and along MacArthur Boulevard between 69th and 96th Avenue (Project). The Project consists of curb ramp upgrades, sidewalk extensions, pedestrian refuge islands, crossing rapid flashing beacons, enhanced striping at crosswalks and speed reduction devices. Project will provide increased pedestrian visibility, speed reduction at approaches to pedestrian crossings, refuge islands in the middle of the street for pedestrians crossing at various locations and prevent drivers from using the middle lane as a travel lane.

## **BACKGROUND / LEGISLATIVE HISTORY**

In August 2018, the City of Oakland (City) submitted a grant proposal to Caltrans under HSIP Cycle 9 for the Project based on collision history on Foothill Boulevard and MacArthur Boulevard extending back five years. For the grant proposal, the City prepared a preliminary

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traffic and safety assessment to address safety, access and mobility, and to identify countermeasures to address deficiencies. Project scope was developed in coordination with the Bicycle and Pedestrians Advisory Committee (BPAC). On December 17, 2018, Caltrans awarded a grant to the City in a competitive process based on an evaluation of the overall effectiveness of proposed measures to reduce the number and severity of collisions for pedestrians, bicyclists and vehicles.

In July 2019, the City Council adopted Resolution No. 88360 C.M.S., accepting and appropriating funds as shown in **Attachment A**, which authorized the City Administrator to accept and appropriate the HSIP Cycle 9 grant funds for the Project.

### **ANALYSIS AND POLICY ALTERNATIVES**

The Project will improve safety for pedestrians crossing at various locations along Foothill Boulevard and various locations along MacArthur Boulevard. The Project is in the high priority equity area with high concentration of pedestrians and transit users. The Project will provide increased pedestrian visibility, refuge islands in the middle of the street for pedestrians crossing at various locations and prevent drivers from using the middle lane as a travel lane. The Project is located in Council District 4, 5, 6 and 7 as shown in **Attachment B**.

Based on the grant schedule the City was required to complete design, and to obtain authorization for construction by December 31, 2021. Staff met all design schedule requirements. Currently staff are seeking City Council approval on a resolution to award this contract to the lowest responsive and responsible bidder, Ray's Electric Inc.

On February 11, 2022, the City placed an advertisement in East Bay Times, Oakland Post, El Mundo, World Journal, The Korean Times, and Daily Pacific Builder/McGraw-Hill inviting construction bids. On March 24, 2022, the Office of City Clerk received two bids in the amounts of \$1,856,979.00 and \$1,783,021.25, from Beliveau Engineering and Gruendl Inc. dba Ray's Electric, respectively as shown in **Attachment C**.

The Contract Compliance Division determined that Ray's Electric Inc. bid is Equal Benefits Ordinance (EBO) compliant, meets the Federal Disadvantaged Business Enterprise (DBE) 13% goal, and is therefore the lowest, responsible, responsive bidder. Ray's Electric Inc.'s bid of \$1,783,021.25 is two percent (2%) above the Engineer's Estimate of \$1,746,248.24. The Contract Compliance Memorandum is shown in **Attachment D**. Staff determined Ray's Electric Inc.'s bid is reasonable within the available project funds. Hence Ray's Electric Inc. is recommended to be awarded the contract.

The Project will be funded by the HSIP Cycle 9 grant and the City's Measure KK fund. As part of meeting the federal grant requirements a local match is required as a condition of the grant and is further detailed in the Fiscal Impact section below.

Approval of the proposed resolution would advance City Council's priority policy for **vibrant sustainable infrastructure**.

### **FISCAL IMPACT**

The Project is funded by the HSIP Cycle 9 grant and the City's Measure KK fund. A local match is required as a condition of the grant. The federal grant and the local match are as follows:

- Federal HSIP Grant \$906,930, State of California, Department of Transportation; Project 1004700, Organization 92270, Expense 57411, Task 8.0, Award 23719, Fund 2116, Program NB33.
- Local Match \$876,091.25, Measure KK, Department of Transportation, Project 1004700, Organization 92270, Expense 57411, Task 8.0, Award 23941, Fund 5335, Program NB33.

Average annual operation and maintenance cost of \$27,000.00 (about 1.5% of construction award) is expected. Operation and maintenance cost will be covered in the Public Works Department and Department of Transportation fiscal budget for infrastructure and street maintenance.

### **PUBLIC OUTREACH / INTEREST**

Staff reached out to the local community groups and stakeholders for their input, support and concurrence for the Project. The community group and stakeholders include:

- Bicycles and Pedestrians Advisory Commission (BPAC)
- Bike East Bay, an advocate body for bicyclists' safety
- Alameda County Transit Authority (AC-Transit)
- Neighborhood Crime Prevention Council (Beat 30Y, 35X, 21Y and 29X)

### **COORDINATION**

This report and legislation have been reviewed by the Office of the City Attorney, Budget Bureau, and Department of Workplace and Employment Standards. Staff coordinated with the following City Departments and stakeholders as listed below:

- State of California, Department of Transportation (Caltrans)
- Oakland Public Works Construction Management Division
- Oakland Public Works Infrastructure Maintenance Division
- Bicyclist and Pedestrian Advisory Commission (BPAC)
- AC-Transit
- Oakland Fire Department

### **SUSTAINABLE OPPORTUNITIES**

***Economic:*** This Project will improve transportation conditions and make Foothill Boulevard and MacArthur Boulevard safer for pedestrians, more accessible to transit and local businesses, and result in a more aesthetic neighborhood. The improvements will also enhance the efficiency and affordability of the transportation network. In addition, the construction contract will create job opportunities for Oakland residents through the City's contract compliance requirements as shown in ***ATTACHMENT D***.

***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 systems.

***Race & Equity:*** The Project is in the highest equity priority index zone provided by the 'Map of Priority Neighborhoods' by the City of Oakland's Department of Transportation Racial Equity Team. The Project will result in greater mobility, accessibility and safety for pedestrians, bicycles, transit, and vehicular traffic. It will benefit the schools in the project area. Persons with disabilities will be particularly benefited by the curb ramps installed, and audible signals built into the traffic signal and beacons.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

On a separate and independent basis, this Project and action is exempt from the California Environmental Quality Act (CEQA) pursuant to the following CEQA Guidelines Sections: Section 15162 and 15163 (no further environmental review required); Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15183 (projects consistent with a community plan, general plan, or zoning), Section 15301 (existing facilities), Section 15302 (replacement or reconstruction), and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance. In addition to CEQA, National Environmental Policy Act (NEPA) also applied because the project is federally funded. A copy of the CEQA and NEPA documentation is provided in ***ATTACHMENT F***.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Adopt A Resolution Awarding A Construction Contract To Ray's Electric Inc., For Highway Safety Improvement Program (HSIP) Cycle 9, Foothill Boulevard and MacArthur Boulevard Improvements Project, Project No. 1004700, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of One Million Seven Hundred and Eighty-Three Thousand and Twenty-One Dollars and Twenty-Five Cents (\$1,783,021.25); And adopting appropriate California Environmental Quality Act (CEQA) Findings.

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 Cycle 9 Grant
- B: Location Map
- C: List of Bidders
- D: Contract Compliance Report
- E: Contractor Performance Evaluation
- F. CEQA NEPA Document

