

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 OCT 13 AM 8:34

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: October 25, 2005

RE: RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR THE SAFE ROUTES TO SCHOOL, CYCLE 4 PROJECT (CITY PROJECT NO. G254110, FEDERAL PROJECT NO. STPLHS-5012(072)) FOR AN AMOUNT OF THREE HUNDRED SIXTEEN THOUSAND SIXTY-NINE DOLLARS (\$316,069.00)

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract to Ray's Electric for the Safe Routes to School Cycle 4 Project (City Project No. G254110, Federal Project No. STPLHS-5012(072)) for an amount of \$316,069.00. The construction contract consists of striping improvements, the installation of a new traffic signal at the intersection of Foothill Boulevard and 40th Avenue, and the installation of new curb bulb-outs at the intersections of East 12th Street and 37th Avenue, High Street and Courtland Avenue, Market Street and Brockhurst Street, Market Street and 33rd Street, Foothill Boulevard and 9th Avenue, and Foothill Boulevard and 10th Avenue. The project is located in Council Districts 2, 3 and 5.

The proposed project is consistent with the 2005-07 Goals and Objectives of the City Council and Mayor in the following:

Build Community and Foster Livable Neighborhoods by improving the physical appearance, livability and integrity of these areas and by providing accessible sidewalks.

FISCAL IMPACT

The resolution will authorize a \$316,069.00 construction contract with Ray's Electric. Funding for the contract is available in the California Department of Transportation/Safe Routes to School Fourth Cycle State Grant Funds (Fund Number 2140, Project Number G254120); and Metropolitan Transportation Commission/Transportation Development Act (TDA) Funds (Fund Number 2162, Project Number G254110).

BACKGROUND

The project was advertised for bids on July 18, 2005 and July 19, 2005 in the Oakland Tribune and the San Francisco Chronicle newspapers. Notices were also sent to the City's list of contractors. On August 8, 2005, the City Clerk received one bid for the project. Ray's Electric of Oakland submitted a bid of \$316,069.00. On August 17, 2005, the Office of the City Administrator, Contract Compliance & Employment Services Division, determined that the bid

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October 25, 2005

contained 3.41% Disadvantaged Business Enterprise (DBE) participation, which exceeded the project goal of 0% DBE participation. A memo from the Contract Compliance & Employment Services Division verifying the DBE information for the bidder is provided in Attachment A. Note that the City Local/Small Local Business Enterprise (LBE/SLBE) requirements do not apply because this is a federally funded project. However, Ray's Electric is a Small Local Business Enterprise.

In May 2003, the Public Works Agency's Transportation Services Division (TSD) submitted the application for the Safe Routes to School (SR2S) Program Fourth Cycle to improve pedestrian and bicyclist safety along routes to schools. To identify potential project locations, staff analyzed the list of twelve schools with the highest number of nearby child pedestrian/vehicle collisions in the Pedestrian Master Plan dated November 12, 2002. After seeking input from community members, Council members and school principals, the final project locations were selected. On November 24, 2003, Caltrans awarded the City an amount of \$441,045.00 in federal funds to improve pedestrian safety at the selected locations. The data used and the locations selected for this project are still applicable and relevant today.

Ray's Electric submitted a responsible and responsive bid and is recommended for award of the construction contract.

KEY ISSUES AND IMPACTS

Execution of a contract will take a minimum of one month, resulting in a projected construction starting date of December 2005. With construction scheduled for 50 working days, it is expected to be completed by March 2006, weather permitting. The contract specifies that the contractor will be assessed \$900.00 in liquidated damages per calendar day if the construction schedule of 50 working days is exceeded. However, the expected completion date may vary due to unforeseeable construction and weather conditions. The Resident Engineer assigned to this project will monitor the contractor's progress to ensure the project is completed in a timely manner.

PROJECT DESCRIPTION

The Safe Routes to School Fourth Cycle Project consists of striping improvements, the installation of a new traffic signal at the intersection of Foothill Boulevard and 40th Avenue, and the installation of new curb bulb-outs at the intersections of East 12th Street and 37th Avenue, High Street and Courtland Avenue, Market Street and Brockhurst Street, Market Street and 33rd Street, Foothill Boulevard and 9th Avenue, and Foothill Boulevard and 10th Avenue. The project is designed to improve pedestrian safety at seven existing intersections located along walking routes to four elementary schools and one high school.

SUSTAINABLE OPPORTUNITIES

Economic: By improving vehicular and pedestrian safety, this project will have a positive economic impact by reducing injury and property damage costs.

Environmental: This project will improve pedestrian facilities making walking a more attractive mode of transportation, thereby improving the environment by reducing vehicular congestion and emissions.

Social Equity: This project will provide safety for school kids in less affluent neighborhoods.

DISABILITY AND SENIOR CITIZEN ACCESS

This project includes accessibility improvements such as tactile pedestrian pushbuttons with audible units and wheelchair ramps with detectable warning domes, which will assist senior citizens, and pedestrians with disabilities.

RECOMMENDATION AND RATIONALE

Staff recommends that City Council approve the resolution authorizing the City Administrator, or her designee, to award a construction contract to Ray's Electric for the Safe Routes to School Cycle 4 Project for an amount of \$316,069.00.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
Michael J. Neary, P.E.
Assistant Director, PWA

Prepared by:
Wladimir Wlassowsky, P.E.
Transportation Services Manager

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:


OFFICE OF THE CITY ADMINISTRATOR

OFFICE OF THE CITY ADMINISTRATOR
Contract Compliance & Employment Services Division

Memo

To: Gwen McCormick - Contract Administration Supervisor
From: Dasco Munoz - Contract Compliance Officer
Through: Deborah Barnes, CC&ES Manager *DB*
Date: August 17, 2005
Re: Safe Route to School Cycle 4 Project - G254110

Contract Compliance & Employment Services reviewed one proposal for DBE participation for the project referenced above. This was a race neutral project or zero percent DBE goal. Below is the summary of our compliance evaluation.

Company Name	Contract Paid to Date	DBE Goal	Total DBE Participation	EBO Compliant ? Y/N
Ray's Electric	\$316,069.00	0%	3.41%	Y

As noted above, this firm has a 3.41% DBE participation.

Should you have any questions you may contact me at 238-3970

cc: Contract Compliance File

DRAFT

OFFICE OF THE CITY CLERK
OAKLAND

Oakland City Attorney's Office

2005 OCT 13 AM 8:34

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

Requires two-thirds vote of the Council

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONSTRUCTION CONTRACT TO RAY'S ELECTRIC FOR THE SAFE ROUTES TO SCHOOL CYCLE 4 PROJECT (CITY PROJECT NO. G254110, FEDERAL PROJECT NO. STPLHS-5012(072)) FOR AN AMOUNT OF THREE HUNDRED SIXTEEN THOUSAND SIXTY-NINE DOLLARS (\$316,069.00)

WHEREAS, the construction contract for the Safe Routes to School Fourth Cycle Project (City Project No. G254110, Federal Project No. STPLHS-5012(072) consists of two types of improvements: 1) a new traffic signal at the intersection of Foothill Boulevard/40th Avenue; and 2) new curb bulb-outs at the intersections of East 12th Street/37th Avenue, High Street/Courtland Avenue, Market Street/Brockhurst Street, Market Street/33rd Street, Foothill Boulevard/9th Avenue and Foothill Boulevard/10th Avenue; and

WHEREAS, the project will improve pedestrian safety at seven intersections located along walking routes to four elementary schools and one high school; and

WHEREAS, the project was advertised to solicit bids on July 18, 2005 and July 19, 2005 in the Oakland Tribune and San Francisco Chronicle newspapers; and

WHEREAS, on August 8, 2005, one (1) bid was received by the Office of the City Clerk for the project; and

WHEREAS, Ray's Electric submitted a responsible and responsive bid; and

WHEREAS, there are sufficient funds for the construction contract in the California Department of Transportation/Safe Routes to School Fourth Cycle State Grant Funds (Fund Number 2140, Project Number G254120); and Metropolitan Transportation Commission/Transportation Development Act (TDA) Funds (Fund Number 2162, Project Number G254110); and

WHEREAS, the City lacks the equipment and personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the best public interest because of economy and quality of work; and

WHEREAS, the project has 0% Disadvantaged Business Enterprise (DBE) participation requirement; and

WHEREAS, Ray's Electric has 3.41% Disadvantaged Business Enterprise (DBE) participation; and

WHEREAS, the City Council finds and determines 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 construction contract for the Safe Routes to School Cycle 4 Project is hereby awarded to Ray's Electric for an amount of three hundred sixteen thousand sixty-nine dollars (\$316,069); and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act with respect to such work are hereby approved; and be it

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

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

FURTHER RESOLVED: That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the approval of this Resolution requires a two-thirds vote of the Council members.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
Of the City of Oakland, California