



CITY OF OAKLAND

# AGENDA REPORT

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

**FROM:** Fred Kelley, Director  
Oakland Department  
of Transportation

**SUBJECT:** International Boulevard  
Improvements Project  
Construction Contract Award

**DATE:** September 13, 2022

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City Administrator Approval 

Date: Oct 5, 2022

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## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Awarding A Construction Contract To Gruendl Inc. dba Ray's Electric For The International Boulevard Pedestrian Lighting and Sidewalk Improvement Project, Project No. 1000844, The Lowest, Responsible, And Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Six Million, Five Hundred Eighty-Seven Thousand, Eight Hundred and Seventy-Six Dollars (\$6,587,876.00); And Adopting Appropriate California Environmental Quality Act (CEQA) Findings.**

## **EXECUTIVE SUMMARY**

Approval of this resolution will authorize the City Administrator to execute a construction contract in an amount of \$6,587,876.00 with Gruendl Inc. dba Ray's Electric, the lowest, responsible, and responsive bidder, for the International Boulevard Pedestrian Lighting and Sidewalk Improvement Project, Project No. 1000844 (Project). The Project addresses deficiencies in the existing pedestrian environment along the International Boulevard corridor between 36<sup>th</sup> Avenue and 107<sup>th</sup> Avenue. The Project will also install solar-powered waste containers and trash capture devices along the corridor.

## **BACKGROUND / LEGISLATIVE HISTORY**

In February 2022, City Council authorized acceptance and appropriation of \$9,921,587.00 in Clean California funds for the Project (Resolution No. 89040 C.M.S.), as shown in **Attachment A**. Clean California funds are specified for International Boulevard between 45th Avenue and 107th Avenue. The Clean California funds has a funding deadline of June 30, 2023 to complete construction of the project.

In February 2020, City Council authorized acceptance and appropriation of an amount not to exceed \$30,000,000.00 in Affordable Housing and Sustainable Communities (AHSC) grant funds from the California Department of Housing and Community Development (Resolution No. 88016

City Council  
October 18, 2022

C.M.S.), as shown in **Attachment B**). From this grant, \$1,500,000.00 for Sustainable Transportation Infrastructure was received for the portion of International Boulevard between 36th Avenue and 45th Avenue.

The Project is consistent with the Council-adopted Capital Improvements Program (CIP) prioritization criteria (Resolution No. 87376 C.M.S., adopted September 20, 2018). Priority projects were identified for this grant based on CIP score, grant prioritization criteria, and funding needs. The Project will enhance pedestrian travel, encourages AC Transit Bus ridership, including the Bus Rapid Transit (BRT) ridership, and provides health and environmental benefits.

The Project will install pedestrian-scale lighting and repair sidewalks to provide safer pedestrian conditions for people along International Boulevard and will also install trash capture devices into existing storm drain inlet at approximately 68 locations along the corridor to prevent trash from entering the municipal storm sewer (storm drain) system.

## **ANALYSIS AND POLICY ALTERNATIVES**

Adoption of the proposed resolution will allow the City of Oakland (City) through the Oakland Department of Transportation (OakDOT) to move forward with implementing the International Boulevard Pedestrian Lighting and Sidewalk Improvement Project and advancing four Citywide priorities: **(1) housing, economic, and cultural security; (2) vibrant, sustainable infrastructure; (3) holistic community safety; and (4) responsive, trustworthy government** as follows:

1. **Housing, Economic, and Cultural Security:** Walking, transit, and other means of transportation are often cost-effective alternatives to automobiles, which many Oaklanders cannot afford to access. Lack of safe, attractive, and comfortable facilities may dissuade people from using these cost-effective transportation modes. The Project will provide the necessary infrastructure along International Boulevard to encourage the use of alternative travel modes and increase economic activities in the neighborhood by promoting mobility and increasing travel demands.
2. **Vibrant, Sustainable Infrastructure:** International Boulevard is a major connector. The Project invests in pedestrian infrastructure to ensure Oaklanders have high-quality, sustainable transportation choices to travel to major destinations including downtown, Lake Merritt, Laney College and the Coliseum. The improvements will transform the corridor into a walk and transit friendly segment that supports the economy in the area.
3. **Holistic Community Safety:** The Project helps solve an immediate and pressing safety need by providing a safe pedestrian and transit facility that promotes cost-effective transportation modes and improved solid waste management.

4. Responsive, Trustworthy Government: In response to comments from communities and AC Transit, OakDOT has made efforts to install pedestrian-scale lighting and repair sidewalks to provide safer pedestrian conditions for people along International Boulevard in addressing their concerns.

On June 2, 2022, the Office of the City Clerk received bids from two firms: Gruendl Inc. dba Ray's Electric and Patriot Contracting, Inc. The bids are below.

BIDDER	BASE BID
Gruendl Inc. dba Ray's Electric	\$6,587,876.00
Patriot Contracting, Inc	\$10,492,660.00

Gruendl Inc. dba Ray's Electric is deemed the lowest responsible and responsive bidder. Gruendl Inc. dba Ray's Electric's bid of \$6,587,876.00 is fifteen-point four percent (15.4%) less than the Engineer's Estimate of \$7,787,602.00. Staff determined that Gruendl Inc. dba Ray's Electric's bid is reasonable with available sufficient funds and is recommended to be awarded the contract.

Upon review by the Department of Workforce and Employment Standards, the City determined that Gruendl Inc. dba Ray's Electric's bid was compliant with the Equal Benefits Ordinance (EBO) and met the Oakland-certified Local Business Requirement under the City's Local Business Enterprise/Small Local Business Enterprise (LBE/SLBE) program. The contractors are required to have 50% of the work hours performed by Oakland residents, and 50% of all new hires are to be Oakland residents. Under the proposed contracts with Gruendl Inc. dba Ray's Electric, the LBE/SLBE participation will exceed the City's 50% LBE/SLBE requirement, and the firm is EBO. See the Compliance Analysis Memorandum in **Attachment C**.

The construction contract has 150 working days for the contractor to perform the work. Currently, there is a long lead time to procure pedestrian light poles and solar-powered waste compactors due to the pandemic. With the Clean California funding deadline of June 30, 2023, the construction contract should be awarded as soon as possible to provide enough time for material procurement and the construction to be completed before the funding deadline.

**FISCAL IMPACT**

The Project is funded by Clean California funds, AHSC funds and Measure Q funds.

<b>CONSTRUCTION FUNDING SOURCE</b>	<b>AMOUNT</b>
Clean California Grant: Boulevard Pedestrian Lighting and Sidewalk Improvement Project (No. 1000844), Engineering Design: Project Management Organization (92270), Department of Transportation Fund (2140), Construction Task (8.0), Award (24227)	\$ 5,667,566.00
Affordable Housing and Sustainable Communities (AHSC) International Pedestrian Lighting Project (No. 1006068), Engineering Design: Project Management Organization (92270), AHSC STI Fund (2159), Construction Task (8.0), Award (24029)	\$ 736,710.00
Enhanced Regulatory Trash Compliance Activities Project (No. 1006124), Engineer Design: Watershed and Stormwater Program Organization (92245), Measure Q Fund (2244), Construction Task (8.0), Award (23799)	\$ 183,600.00
<b>TOTAL FUNDS</b>	<b>\$ 6,587,876.00</b>

**PUBLIC OUTREACH / INTEREST**

Staff provided notice to labor representatives, per the terms and conditions of the current Memorandums of Understanding with the International Federation of Professional & Technical Engineers (IFPTE) Local 21, Service Employees International Union (SEIU) 1021 and International Brotherhood of Electrical Workers (IBEW) 1245 prior to the formal issuance of the Request for Bid (RFB).

Public Outreach is part of the Capital Contract Equity Initiative for OakDOT. For this RFB solicitation, DOT-Great Streets Delivery Division (DOT-GSD) worked with Oakland Public Works – Capital Contracts Division (OPW-CCD) and the Department of Workplace and Employment Standards (DWES) on performing public outreach through legal ads, enhanced notifications, and pre-bid meetings.

Notifications of solicitation were distributed by several means. The first was the City’s iSupplier system, which was utilized to notify Oakland-certified local and non-local professional service providers (e.g., landscape architects, architects, engineers, contractors, and planning firms); regional trade and business groups, including the Oakland Metropolitan Chamber of Commerce, Oakland Black Board of Trade & Commerce, Bay Area Business Roundtable, and Construction Bidboard. Companies that register in iSupplier identify relevant North American Industry Classification System (NAICS) codes for their services, and through iSupplier, they are notified about projects matching these codes.

In addition to iSupplier, OPW-CCD utilized CIPList.com, a free, web-enabled site to announce and distribute solicitations. It is used to push out notifications to plan rooms and builders’ exchanges such as ARC North America, Builders Exchange of Alameda County, Contra Costa Builders

Exchange, Dodge Data & Analytics, East Bay Blueprint, East Bay Blueprint, iSqFT, Northern California Electrical Construction Industry, Peninsula Builders Exchange, San Francisco Builders Exchange, and Solano-Napa Builders Exchange. Through CIPList.com, any company or entity may register to be automatically notified of all City of Oakland solicitations without restrictions.

The legal notice for the RFB was advertised on February 28, 2022 in the East Bay Times and the Oakland Post. In addition, information about the project was published in El Mundo, Daily Pacific Builder, World Journal, and the Korea Times to supplement and ensure the information reaches LBE/SLBE companies in Black, Indigenous, People of Color (BIPOC) communities with potential contractors.

Finally, OPW-CCD held a pre-bid meeting in partnership with the Workplace & Employment Standards Department and the Project Manager on April 12, 2022, with ten (10) people in attendance virtually. The meeting served a few purposes: to make the attendees aware of proposed work, to discuss compliance requirements, to allow for opportunities for contractors and sub-contractors to network and partner on the proposed work.

### **COORDINATION**

The Budget Bureau and City Attorney's Office were consulted in the preparation of this report and proposed resolution. The project team will also coordinate with Caltrans on all work constructed in Caltrans right-of-way.

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

The Contractor Performance Evaluations for Gruendl Inc. dba Ray's Electric from previously completed project was satisfactory and is included as **Attachment D**.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** Improving key pedestrian and transit corridors in East Oakland ensures that more people, particularly high priority communities along International Boulevard, will be able to safely access jobs, services, schools, and entertainment in Oakland, therefore contributing to local economic activities.

**Environmental:** By providing safer and more comfortable routes for pedestrians, bicyclists, and transit access, the proposed projects will encourage an overall shift in mode of transportation away from single occupancy vehicles to more energy-efficient and cleaner forms of transportation – walking, biking, and transit.

**Race & Equity:** The Project is located along International Boulevard in high and highest priority areas as identified in the Geographic Equity Tool and the Metropolitan Transportation Commission (MTC) Communities of Concern map. This project will contribute to local revitalization by advancing affordable, accessible, and equitable mobility in East Oakland, while also improving access to high-quality transit, green space, spaces for recreation, and essential services.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The proposed Project is exempt from CEQA pursuant to Public Resources Code Section 21080.25(b)(1) (pedestrian and bicycle facilities, including new facilities). The project is also exempt from CEQA pursuant to CEQA Guidelines Sections 15301(c) (Existing Facilities, Highways and Streets), 15302 (Replacement or Reconstruction), and/or 15061(b)(3) (No Significant Effect on the Environment). Each of the above exemptions provides a separate and independent basis for CEQA compliance.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Awarding A Construction Contract To Gruendl Inc. dba Ray's Electric For The International Boulevard Pedestrian Lighting and Sidewalk Improvement Project, Project No. 1000844, The Lowest, Responsible, Responsive Bidder In Accordance with Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Six Million, Five Hundred Eighty-Seven Thousand, Eight Hundred and Seventy-Six Dollars (\$6,587,876.00); And Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

For questions regarding this report, please contact Chris Diano, Civil Engineer, at 510-238-7266.

Respectfully submitted,

*Fred Kelley*

Fred Kelley (Oct 5, 2022 10:15 PDT)

FRED KELLEY  
Director, Department of Transportation

Reviewed by:  
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Attachments (4):

Attachment A: City Council Resolution No. 89040

Attachment B: City Council Resolution No. 88016

Attachment C: Compliance Analysis Memorandum

Attachment D: Contractor Performance Evaluations for Gruendl Inc. dba Ray's Electric