



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ryan Russo
Director, Oakland
Department of
Transportation (OakDot)

SUBJECT: Contract Award for Highway Safety
Improvement Program (HSIP) Cycle
8, Oakland Hills

DATE: November 2, 2021

City Administrator Approval

Date: Dec 8, 2021

RECOMMENDATION

- 1) **Staff Recommends That The City Council Adopts a Resolution Awarding A Construction Contract To AZ Construction Inc. Doing Business As Ace Fence Company, The Lowest, Responsible, Responsive Bidder For Highway Safety Improvement Program (HSIP) Cycle 8, Oakland Hills Project, Project No. 1004013, In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Five Hundred Twenty-One Thousand Three Hundred Fifteen Dollars (\$521,315); And**
- 2) **Adopt Appropriate California Environmental Quality Act (CEQA) Findings.**

EXECUTIVE SUMMARY

Approval of this proposed resolution will award a construction contract of \$521,315 to AZ Construction, the lowest, responsible, responsive bidder, for Highway Safety Improvement Program (HSIP) Cycle 8, Oakland Hills Project, Project No. 1004013 to upgrade existing and replace damaged metal beam guardrails with the current Caltrans standard guardrail systems at 27 citywide locations.

BACKGROUND / LEGISLATIVE HISTORY

In August 2016, the City submitted a grant proposal to Caltrans to address guardrail repairs and improvements at 27 locations in the North and East Oakland Hills. The proposal was submitted through a specific set-aside for guardrail upgrades within the HSIP Cycle 8 grant program. The guardrail locations were identified by DOT staff and include locations where existing guardrail is damaged or does not meet current standards (Caltrans Standard Plans 2015). Most of the locations are on steep hillsides, adjacent to residences, and/or adjacent to pedestrian walkways. Guardrail improvements at these locations can reduce the severity of crashes. In November 2016, Caltrans awarded the grant to the City.

City Council
December 21, 2021

In June 2017, City Council passed Resolution No. 86818 C.M.S., accepting and appropriating the grant funds as shown in **Attachment A**, which authorized the City Administrator to accept and appropriate the HSIP Cycle 8 grant for the Oakland Hills Project.

ANALYSIS AND POLICY ALTERNATIVES

The proposed work consists of guardrail improvement work that includes upgrading existing guardrail sections, end treatments, mounting hardware, post and foundations to current Caltrans standards. In some cases, guardrail extensions are needed to fill in minor gaps, or an asphalt concrete curb is required to control drainage. The guardrail project includes a total of 27 sites located in Council Districts 1, 4, 5, 6, and 7 as shown in **Attachment B** and **Attachment C**. The sites are located on Panoramic Way, Shepherd Canyon Road, Claremont Avenue, Skyline Boulevard, Golf Link Road, Ascot Drive, Butters Drive, Brunell Drive, Grizzly Peak, Moraga Avenue, Balboa Drive, Paso Robles Drive, Duncan Way, Escher Drive, Wellington Street, Sterling Drive, Girvin Drive, Scout Road, Haverhill Drive, and Chelton Drive.

On June 9, 2021, the City placed an advertisement in Daily Pacific Builder, Oakland Tribune, The Korea Times, World Journal, El Mundo, and Oakland Post inviting construction bids. On July 29, 2021, the Office of the City Clerk received five bids in the amounts of \$521,315; \$635,100; \$4,018,710; \$817,730; and \$723,195 from AZ Construction, Bay Construction, Beliveau Engineering Contractor, Maranship Development Interest, and Ray's Electric, respectively, as shown in **Attachment D**.

The Contract Compliance Division determined that AZ Construction bid is Equal Benefits Ordinance (EBO) compliant, meets the Federal Disadvantaged Business Enterprise (DBE) 18.36% goal, and is the lowest, responsible, responsive bidder. AZ's Construction bid of \$521,315 is 0.006% more than the Engineer's Estimate of \$521,283. The Contract Compliance Memorandum is shown in **Attachment E**. Staff determined that AZ Construction's bid is reasonable with available sufficient funds; hence, AZ Construction is recommended to be awarded the contract.

Staff recommends City Council approval of the proposed resolution to award the contract to AZ Construction, the lowest responsive and responsible bidder.

FISCAL IMPACT

Approval of the proposed resolution will authorize the City Administrator to execute a construction contract with AZ Construction for \$521,315. The project is funded by the HSIP Cycle 8 grant and Measure KK (Oakland's 2016 Affordable Housing and Infrastructure Bond). Specifically, Caltrans has authorized the use of HSIP Cycle 8 grant for construction contract of the Oakland Hills Project. A local match is required as a condition of the grant as shown below:

- Federal HSIP Grant \$599,512, State of California, Department of Transportation; Project 1004013, Organization 92270, Expense 57411, Task 8.0, Award 23346, Fund 2116, Program NB33.
- Local Match \$151,431, Measure KK, 2nd Tranche, Project 1003348, Organization 92270, Expense 57411, Task 8.0, Award 23686, Fund 5332, Program NB33

PUBLIC OUTREACH / INTEREST

The project was presented to Bicyclist and Pedestrian Advisory Commission (BPAC) during the grant application phase and received their concurrence.

For this construction Request for Bid (RFB) solicitation, OakDOT's Great Street Division worked with OPW-Capital Contracts Division (OPW-CCD) and Department of Workplace and Employment Standards (DWES) on performing public outreach through the legal ads, enhanced notifications and a pre-proposal meeting.

Notifications of solicitations were distributed by several means. The City's iSupplier system was utilized to notify both 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 the Construction Bidboard. Furthermore, all firms that registered in iSupplier under North American Industry Classification System (NAICS) codes that matched the project scope received a notification for the project.

In addition to iSupplier, OPW-CCD also utilizes 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 published on June 9, 2021. Legal notices were printed in the East Bay Times and Oakland Post. In addition, information about the project was published in El Mundo, Daily Pacific Builder, World Journal, and the Korea Times publications to supplement and ensure the contracting opportunity reached Local Business Enterprises and Small Local Business Enterprises (LBE/SLBE) in Black, Indigenous, People of Color (BIPOC) communities which have been underrepresented in City of Oakland contract awards.

OPW-CCD held a pre-proposal meeting in partnership with the Workplace & Employment Standards Department and the Project Manager on Thursday July 8, 2021 with virtual attendees. The meeting served multiple purposes: to discuss with potential contractor how contracts are established with the City, to make those in attendance aware of possible upcoming work, to allow for opportunities for contractors to network and partner on upcoming work, and to discuss the current solicitation specifically.

COORDINATION

The Office of the City Attorney and the Controller's Bureau have reviewed this report and resolution. Staff also coordinated the State of California, Department of Transportation (Caltrans); OPW Project Delivery Division; OPW Infrastructure Maintenance Division; and the City of Oakland's Bicyclist and Pedestrian Advisory Commission (BPAC).

SUSTAINABLE OPPORTUNITIES

Economic: This project will improve transportation conditions at these guardrail locations reducing severity of crashes. In addition, the construction contract will create job opportunities for Oakland residents through the City's contracting requirements.

Environmental: The project will provide a safer route for bicyclists 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 system.

Race & Equity: The project will result in greater mobility, accessibility and safety for pedestrians, bicycles, transit, and vehicular traffic. By utilizing grant funds earmarked for guardrail improvements, the project also maintains existing infrastructure at lesser cost to the City and preserves funds for maintenance and capital improvements in priority neighborhoods.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code (PRC) Section 21080.25. Due to recent additions intended to expand and enact CEQA exemptions to streamline the time and cost of delivering transportation projects in California through Senate Bill (SB) 288, this project is identified as exempt under PRC Section 21080.25. (b)(1) (Pedestrian and bicycle facilities, including new facilities).

In addition, the project is also exempt from 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 Adopts a Resolution Awarding:

- (1) A Construction Contract To AZ Construction Inc. Doing Business As Ace Fence

Company, The Lowest, Responsible, Responsive Bidder For Highway Safety Improvement Program (HSIP) Cycle 8, Oakland Hills Project, Project No. 1004013, In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Five Hundred Twenty-One Thousand Three Hundred Fifteen Dollars (\$521,315); And
(2) Adopt Appropriate California Environmental Quality Act (CEQA) Findings.

For questions regarding this report, please contact Ade Oluwasogo, Supervising Transportation Engineer, at 510-238-6103 or email at Aoluwasogo@oaklandca.gov.

Respectfully submitted,



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Director, Department of Transportation

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Fred Kelley
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Reviewed by:
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Reviewed by:
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Prepared by:
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Assistant Engineer
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Attachments (5):

- A: Resolution to Accept and Appropriate HSIP Grant
- B: Location Map
- C: Council Map
- D: List of Bidders
- E: Contract Compliance Report

