

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OF THE CITY CLERK
OAKLAND
2003 NOV -6 PM 6:05

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: November 18,2003

RE: **RESOLUTION AUTHORIZING THE APPROPRIATION OF AN ADDITIONAL ONE HUNDRED TWENTY-EIGHT THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS (\$128,813) IN FEDERAL HIGHWAY FUNDS AND APPROVING SUBMITTAL OF THE REQUEST TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) TO RE-APPROPRIATE A TOTAL OF TWO MILLION THREE HUNDRED TWENTY-EIGHT THOUSAND FOUR HUNDRED FORTY-SEVEN DOLLARS (\$2,328,447) IN FEDERAL AND STATE FUNDS TO EXTEND THE BUDGET AUTHORITY UNTIL JUNE 30, 2005 FOR THE EARTHQUAKE RETROFIT OF BROADWAY-PATTON, HEGENBERGER, AND HAMILTON BRIDGES (PROJECT NUMBER H24010)**

SUMMARY

A resolution has been prepared for Council approval that 1) authorizes the appropriation of an additional \$128,813 in federal highway funds; and 2) approves submitting a request to the State of California Department of Transportation (Caltrans) to re-appropriate \$2,328,447 in federal and state seismic retrofit funds to extend the budget expenditure authority until June 30, 2005 for the Earthquake Retrofit of Broadway-Patton, Hegenberger, and Hamilton bridges (Project Number H24010).

This project is consistent with the Mayor and City Council Goal to Maintain and Enhance Oakland's Physical Assets. The bridges are located in Council Districts 1 and 7.

The additional \$128,813 appropriation has been granted by Caltrans and is needed to fund project management, construction engineering, and contingencies. The request for Caltrans to re-appropriate these funds is necessary because the project will not be completed before the State's grant end date of May 1, 2004. The City was notified in October that this request, and Council approval to submit it, is due by December 1, 2003.

There is a risk that the request to Caltrans to re-appropriate the funds will not be approved. However, in recent conversations with Caltrans, the City was encouraged to proceed with the project because projects that are substantially complete will be more likely to be fully funded. Therefore, staff recommends proceeding with the project.

A construction contract for this project has already been awarded and a Notice to Proceed issued on Monday, November 3, 2003.

Item 16
City Council
11/18/03

It is recommended that the resolution be approved

FISCAL. IMPACT

Current funds are available in Project H24010/Fund 2116 (Federal Highway Administration and State Seismic Fund) and in Project H24020/Fund 2211 (local match for federally funded projects). Additional appropriation of federal funds will be available in Project H24010/Fund 2116.

Retrofitting these bridges will upgrade them and will decrease future maintenance costs.

BACKGROUND

Under the Seismic Safety Bridge Retrofit program, Caltrans funds the seismic retrofit of local bridges throughout the state. Caltrans manages the design and the development of construction documents for these projects. Local agencies are then responsible for bidding and awarding the construction contracts, and managing the construction. To facilitate the completion of this project, a local agency-state agreement in the amount of \$1,804,500 was approved by City Council on March 31, 1992, by Resolution No. 68787. Additional funding in the amount of \$420,898 was also approved by Caltrans and authorized for appropriation by City Council on September 30,2003, by Resolution No. 78082.

Following this agreement, Caltrans contracted with Advanced Engineering Design (AED), a consultant firm, who prepared structural plans and specifications for this bridge seismic retrofit project. Due to changes in seismic design standards, as well as multiple reviews performed by Caltrans, the plans were not received by Oakland until late 2002.

Following the advertising and bidding period, the City Council authorized the award of the construction contract to Valentine Corporation on September 30, 2003, by Resolution No. 78082.

Additional funding in the amount of \$128,813 has been recently approved by Caltrans for project management, construction engineering, and contingencies. The total project budget is \$2,354,211 and includes construction, project management, construction management, the bid/award administrative costs and construction contingencies. The sources of project funds are distributed as follows:

<u>Total</u>	<u>Federal</u>	<u>State (Seismic Match)</u>	<u>Local Funds</u>
\$2,354,211	\$2,044,839	\$283,608	\$25,764

Of the total project budget, the Federal and State funding of \$2,328,447 is due to expire June 30, 2004. To meet this deadline, all costs must be incurred prior to May 1, 2004. Based on the current schedule of the project, it is not feasible to complete the work before the funding deadline. In order to complete the project, an extension **to June 30,2005** on the federal and state match funds is necessary.

The project has 125 working days (6 months) to complete the construction activities. Much of the critical foundation work on this project, including the Hegenberger approach slab, may not be completed during the rainy season. Taking into consideration this rainy season constraint, the work will be delayed beyond the May 1,2004 obligation deadline. The amount of work to be done on the Hegenberger approach slab is

Item 16
City Council
11/18/03

approximately 75% of the project (4-5 months). Additional time will be required for unforeseen change orders during construction, finalizing and accepting the work, paying the contractor's final invoice, and closing out the project.

With the additional appropriation, and if the State approves extending the life of funds, sufficient funds will be available in the project budget for the completion of the work. Construction work is scheduled to begin in November 2003 and will be completed by September/October 2004.

KEY ISSUES AND IMPACTS

Under previous Caltrans practice, cities were permitted to request an extension of the liquidation period through the re-appropriation process if the funds would not be fully expended before the funding obligation date. However, with the budget shortfalls the State is facing, the Administration and the Legislature have modified this practice.

In October 2003, Caltrans notified the City that it must seek approval for any extension of funding beyond June 30,2004. If the project will not be completed and the funds fully liquidated by May 1,2004, the City must request a re-appropriation to extend the budget authority by December 1, 2003. The new practice requires City Council approval of any request for such extension. State approval of the request will make funds available for one more year until June 30,2005.

The appropriation of additional federal funds and the extension of the budget authority of funds will ensure the completion of the project. The State of California will not give a final decision on the request to re-appropriate the funds until June 1,2004, and there is a risk that the funds may not be made available if the State Department of Finance does not approve this request. Based on conversations with Caltrans staff, it is expected that the State will approve this request since work will be substantially complete by the deadline. However, PWA will make a mid-cycle budget adjustment from within the PWA capital improvement program to fund this project should this be necessary.

PROJECT DESCRIPTION

This project consists of the earthquake retrofit of three bridges that were selected by Caltrans as part of the seismic safety retrofit program. These bridges are:

- Broadway-Patton Pedestrian Overcrossing (On Broadway between Patton Street and Brookside Avenue) (Bridge No. 33C-076),
- Hegenberger Road Overhead (On Hegenberger Road at San Leandro Street) (Bridge No. 33C-165), and
- Hamilton Street Pedestrian Overcrossing (On Hegenberger Road at Hamilton Street between Rudsdale Street and Spencer Street) (Bridge No. 33C-166)

The proposed work consists of Bridge Earthquake Retrofit Work which, in general, includes structural excavation and backfill; piling, concrete bridge work; diaphragm bolster; concrete coring; drilling and doweling; reinforcement steel and miscellaneous metal work; waterproofing; column casing; and traffic control.

SUSTAINABLE OPPORTUNITIES

Economic: Since the project is funded by federal funds, the Disadvantaged Business Enterprise (DBE) program will be used in lieu of Local/ Small Local Business Enterprise (LBE/SLBE) program. However, the project is located in Oakland, and the construction of the project may generate jobs in the local economy.

Environmental: Recyclable materials will be used within the concrete and asphalt concrete construction materials to the extent possible. In addition, there will be reduction of more than 50% of materials landfilled to comply with the Waste Management and Reduction Act.

Improvements to the pedestrian overcrossing facilities will aid in making walking a more attractive mode of transportation, thereby encouraging reduction in automobile usage and reducing vehicle emissions and improving air quality.

Social Equity: The seismic retrofit work will provide safe structures that benefit the neighborhoods and enhance the social equity of the residents of Oakland.

DISABILITY AND SENIOR CITIZEN ACCESS

The bridges seismic retrofit work will be done below the surface. There will be no impact to disability and senior citizen access.

RECOMMENDATION AND RATIONALE

Staff recommends that the City Council approve a resolution that 1) authorizes the appropriation of an additional \$128,813 in federal highway funds; and 2) approves submittal of the request to Caltrans to re-appropriate \$2,328,447 in federal and state seismic retrofit funds to extend the budget expenditure authority until June 30,2005 for the Earthquake Retrofit of Broadway-Patton, Hegenberger, and Hamilton bridges (Project Number H24010).


The additional funding has been recently approved by Caltrans for project management, construction engineering, and contingencies to fully fund the project. The request for Caltrans to re-appropriate these funds is necessary because the project will not be completed before the State funding expiration of May 1, 2004.

Staff has considered the risk of potentially losing the funds for this project and the need to complete this important seismic safety work on critical bridges and recommends that the City proceed with the request to re-appropriate the funds.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



CLAUDETTE R. FORD
Director, Public Works Agency

Reviewed by:
Raul Godinez II, P.E.
Assistant Director, Public Works Agency

Prepared by:
Emad Mirsaeidi, P.E.
Interim Supervising Civil Engineer

APPROVED AND FORWARDED
TO THE CITY COUNCIL:


OFFICE OF THE CITY MANAGER

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S

DRAFT
FILED
OF THE CITY CLERK
OAKLAND
2003 NOV -6 PM 6:05

INTRODUCED BY COUNCIL MEMBER _____

RESOLUTION AUTHORIZING THE APPROPRIATION OF AN ADDITIONAL ONE HUNDRED TWENTY-EIGHT THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS (\$128,813) IN FEDERAL HIGHWAY FUNDS AND APPROVING SUBMITTAL OF THE REQUEST TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) TO RE-APPROPRIATE A TOTAL OF TWO MILLION THREE HUNDRED TWENTY-EIGHT THOUSAND FOUR HUNDRED FORTY-SEVEN DOLLARS (\$2,328,447) IN FEDERAL AND STATE FUNDS TO EXTEND THE BUDGET AUTHORITY UNTIL **JUNE** 30, 2005 FOR THE EARTHQUAKE RETROFIT OF BROADWAY-PATTON, HEGENBERGER, AND HAMILTON BRIDGES (PROJECT NUMBER H24010)

WHEREAS, the State of California Department of Transportation (Caltrans) has identified three City Bridges as needing seismic analysis; and

WHEREAS, these three bridges are: the Broadway-Patton pedestrian overcrossing, the Hegenberger Road overhead bridge, and Hamilton Street pedestrian overcrossing; and

WHEREAS, a local agency-state agreement with Caltrans in the amount of \$1,804,500 was approved by City Council on March 31, 1992, by Resolution No. 68787; and

WHEREAS, **an** additional \$420,898 was approved by Caltrans and authorized for appropriation by City Council on September 30, 2003, by Resolution No. 78082; and

WHEREAS, additional funding in the amount of \$128,813 has been recently approved by Caltrans for project management, construction engineering, **and** contingencies to fully fund the project; and

WHEREAS, the project budget **is** \$2,354,211, which includes \$1,883,369 for the construction work and \$470,842 for project management, construction engineering, and contingencies; and

WHEREAS, the request to Caltrans to re-appropriate these funds is necessary because the project will not be completed before the state deadline of May 1, 2004; now, therefore, be it

16
ORA/COUNCIL
NOV 18 2003

RESOLVED: That the City Manager is hereby authorized to appropriate an additional \$128,813 in federal highway funds (Fund 2116); and be it

FURTHER RESOLVED: That the City Council approves submitting a request to Caltrans to re-appropriate \$2,328,447 in federal **and** state seismic retrofit funds to extend the budget expenditure authority until June 30, 2005 for the Earthquake Retrofit of Broadway-Patton, Hegenberger, and Hamilton bridges (City Project Number H24010).

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

16
ORA/COUNCIL
NOV 18 2003