



AGENDA REPORT

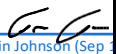
TO: Jestin D. Johnson
City Administrator

FROM: Josh Rowan
Director, Oakland
Department of
Transportation

SUBJECT: Award Construction Contract for
Project 1006302 West Oakland
Pedestrian Accessibility
Improvements

DATE: August 2, 2024

City Administrator Approval


Jestin Johnson (Sep 17, 2024 19:29 PDT)

Date: Sep 17, 2024

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To McGuire & Hester, The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For Project No. 1006302, And With The Contractor's Bid, In The Amount Of Four Million One Hundred Ninety Three Thousand Nine Hundred Fifty Dollars (\$4,193,950.00); And Adopt Appropriate California Environmental Quality Act Findings.

EXECUTIVE SUMMARY

Approval of this resolution will authorize the City Administrator to execute a construction contract with McGuire & Hester, the lowest responsible and responsive bidder, in the amount of four million one hundred ninety-three thousand nine hundred fifty dollars (\$4,193,950.00), for Project No. 1006302. The Project will reconstruct 75 curb ramps and replace 100,000 square feet of sidewalks in West Oakland, funded by a grant through the California Air Resources Board (CARB).

BACKGROUND / LEGISLATIVE HISTORY

In August 2020, California Air Resources Board issued a call for projects under the Sustainable Transportation Equity Project (STEP) program. STEP aims to address community residents' transportation needs, increase access to key destinations, and reduce greenhouse gas emissions by funding planning, clean transportation, and supporting projects.

The overarching purpose of the STEP grant program is to increase transportation equity in disadvantaged and low-income communities throughout California, and the grant solicitation heavily favored strong collaboration with community-based organizations. OakDOT responded to the call for projects with a grant proposal for a West Oakland STEP (WO STEP) project, a

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series of capital investments aimed at improving access to safe and sustainable transportation and creating a healthier environment for West Oakland's existing residents. OakDOT proposed implementing the grant in collaboration with community partners who had deep experience and strong roots in West Oakland, including the West Oakland Environmental Indicators Project (WOEIP) and the Crucible. In early 2022, the City was notified that its WO STEP proposal would receive STEP grant funding for a project total of \$7,665,371.99.

On June 23, 2022, Oakland City Council authorized the acceptance and appropriation of \$7,665,371.99 in STEP grant funds for the implementation of the West Oakland STEP Program, administered by CARB (Resolution No 89292 C.M.S.). This resolution also authorized a professional services agreement with the Crucible and with the Oakland Parks & Recreation Foundation (OPRF), who would serve as a fiscal agent for WOIEP and other sub-grantees.

The current timeline for full implementation of the WO STEP program is January 2026. By this date, all components of the WO STEP program must be completed and all funds disbursed.

Four sub-projects comprise the West Oakland STEP program:

Project 1: West Oakland Truck Management Plan Implementation, which includes improving truck route signage, truck and trailer parking enforcement, and truck traffic calming recommendations. Grant allocation: \$654,194.00

Project 2: West Oakland Pedestrian Improvements and Urban Greening, which includes sidewalk and accessibility improvements, planting up to 2,000 trees and shrubs, and developing a community-based urban greening stewardship model. Grant allocation: \$6,307,114.70

Project 3: West Oakland Bike Resource Hub, which includes hosting free monthly workshops, free Earn-A-Bike programming, and free bike repair services, and installing fix-it bike stations throughout West Oakland. Grant allocation: \$364,329.95

Project 4: West Oakland Transit Access Improvements, which includes upgrading 11 bus stops in West Oakland and piloting a West Oakland Universal Basic Mobility program to distribute 1,000 prepaid transit and shared mobility passes to West Oaklanders. Grant allocation: \$48,074.80

The proposed resolution would authorize a construction contract award to implement the sidewalk and accessibility improvements identified in Project 2. The planting of trees and shrubs as identified in Project 2 will be implemented concurrently through a separate effort led by community partners.

On August 2, 2024, to implement the sidewalk and accessibility improvements of WO STEP Project 2 (West Oakland Pedestrian Improvements and Urban Greening) (Project 1006302), the City issued a Request for Bids (RFB), and the project was advertised for bid (**Attachment A**). The Project includes 75 curb ramps; 480 square feet of retrofitting detectable warning dome pavers; approximately 100,000 SF of concrete sidewalk replacement, and related ancillary items required for the construction of sidewalk and curb ramps, and the Engineer's estimate for the work is \$3,458,350.00.

ANALYSIS AND POLICY ALTERNATIVES

Contract Award

The Project implements the sidewalk and accessibility improvements of WO STEP Project 2: West Oakland Pedestrian Improvements and Urban Greening. The scope of work, which includes sidewalk replacement and curb ramp construction, supports the City's ongoing sidewalk replacement and curb ramp installation efforts and advances Citywide priorities of **holistic community safety, vibrant, sustainable infrastructure, and responsive, trustworthy government**. Construction of ADA-compliant curb ramps furthers the requirements of the ADA, reduces the City's trip and fall liability, and improves access for people with disabilities. The Project also advances the City's adopted ADA Transition Plan.

On August 29, 2024, the Office of the City Clerk received bids for the construction contract of Project 1006302 from one firm: McGuire & Hester. The bid is shown in **Table 1** below.

Table 1: Project Bids Received

BIDDER	BID AMOUNT
McGuire & Hester	\$4,193,950.00

McGuire & Hester's bid of \$4,193,950.00 is 21% over the Engineer's Estimate of \$3,458,350.00. Given the current economic conditions, including materials cost increases and contractor workload capacities, staff determined that the bid is reasonable and deemed the lowest responsive and responsible bidder, and therefore recommended for the award.

Under the proposed contract with McGuire & Hester, the Local Business Enterprise/Small Local Business Enterprise (L/SLBE) participation will be McGuire & Hester which exceeds the City's 20% L/SLBE requirement for this project. The L/SLBE information has been verified by the Department of Workplace and Employment Standards (DWES) Contract Compliance Unit and is shown in **Attachment B: Compliance Analysis Memorandum**.

Construction would begin in winter 2024; the project is expected to be completed in 120 working days. The contract specifies \$1,000.00 in liquidated damages per day will be charged to the contractor if the contract is not completed within the agreed schedule.

FISCAL IMPACT

There is no fiscal impact to the General Fund. The WO STEP Grant is funding \$3,811,737.45 of the sidewalk construction task of Project 1006302 West Oakland STEP Grant, available in Fund 2159 (State of California Other), Organization 92270, Project No. 1006302. Funds for the remaining \$382,212.55 of the \$4,193,950.00 contract are available in Fund 5335 (Measure KK), Project No. 1006302.

PUBLIC OUTREACH / INTEREST

For this construction solicitation, Oakland Department of Transportation Great Streets Delivery Division (OakDOT-GSD) worked with Oakland Public Works-Capital Contracts Division (OPW-CCD) and Department of Workplace and Employment Standards (DWES) to conduct 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, which is utilized to notify registered contractors, plan rooms and builder's exchanges, 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 Bid board. Companies are granted access to review proposals in iSupplier a few days after registering in this system. Vendors can also sign up to receive automatic notifications from the system whenever the City issues an RFP/Q or RFB for projects with a specific NAICS code.

In addition to iSupplier and the established disparity outreach list, OPW-CCD also utilizes CIPList.com, a free website through which agencies can announce and distribute solicitations. 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 solicitation was advertised on August 2, 2024. 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.

OPW-CCD held a pre-bid meeting in partnership with DWES and the Project Manager on August 14, 2024, with prospective bidders in attendance virtually. The purpose of the meeting was to discuss with potential contractors how contracts are established with the City, answer any compliance questions, and to discuss the current RFB solicitation specifically.

COORDINATION

The work to be contracted has been coordinated with DWES and appropriate divisions within OakDOT. In addition, this report and the resolution have been reviewed for form and legality by the Office of the City Attorney and Budget Bureau of the Finance Department.

SUSTAINABLE OPPORTUNITIES

Economic: Implementation of the Project will improve the experience of pedestrians, and transit users, which staff anticipate will encourage additional foot travel and thereby increase local economic activity.

Environmental: The contractor will be required to make every effort to use best management practices for the protection of storm water runoff during construction.

Race & Equity: Curb ramp and sidewalk construction will make the City more accessible to those with disabilities, thus preventing potential harm to citizens and reducing trip and fall claims. As walking is a relatively inexpensive and broadly accessible form of transportation, the improved infrastructure to West Oakland residents will especially benefit not only those with disabilities but low-income residents, communities of color, youth, seniors, and people who do not own personal vehicles. Informed by OakDOT's Geographic Equity Prioritization Tool, the Project abuts neighborhoods designated as "Highest Priority", "High Priority", and "Medium Priority" for these demographics.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Project is exempt from CEQA pursuant to Public Resources Code Section 711.4 and pursuant to CEQA Guidelines Sections 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15301(c) (Existing Facilities, Highways and Streets), 15302 (Replacement or Reconstruction), 15303 (Small Structures), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the Environment); each of the aforementioned provides a separate and independent basis for CEQA compliance.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Award A Construction Contract To McGuire & Hester, The Lowest Responsive And Responsible Bidder, In Accordance With Project Plans And Specifications For Project No. 1006302; And With The Contractor's Bid, In The Amount Of Four Million One Hundred Ninety Three Thousand Nine Hundred Fifty Dollars (\$4,193,950.00); and Adopt Appropriate California Environmental Quality Act Findings.

Respectfully submitted,


Josh Rowan (Sep 17, 2024 16:02 PDT)

JOSH ROWAN
Director, Oakland Department of Transportation

Reviewed by:

Megan Wier
Assistant Director

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Complete Streets Paving & Sidewalks Manager

Prepared by:
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Transportation Engineer

Cathy DeLuca
Transportation Planner III

- Attachment (1):
A. Request for Bid
B. Compliance Analysis Memorandum