

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2006 APR 25 PM 9:31

CITY OF OAKLAND
AGENDA REPORT

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: May 9, 2006

RE: **Resolution Authorizing The City Administrator To Award A Construction Contract To Ray's Electric, The Sole Responsible And Responsive Bidder, For The Route 260 Deficiency Plan: Operational Improvements On Jackson Street At 6th And 7th Streets Project, Federal Project No. Cml-5012 (050), (City Project No. G170510/C232820) In The Amount Of One Hundred Seventy-Five Thousand Six Hundred Twenty-Four Dollars And Fifty Cents (\$175,624.50)**

SUMMARY

A resolution has been prepared authorizing the City Administrator to award a construction contract to Ray's Electric, the sole responsible and responsive bidder, for the Route 260 Deficiency Plan: Operational Improvements on Jackson Street at 6th and 7th Streets Project, Federal Project No. CML-5012(050) (City Project No. G170510/C232820) in the amount of \$175,624.50. The construction contract consists of signing, striping, and traffic signal and channelization island modifications to improve traffic operations between State Route 260 Eastbound (Posey Tube) and the I-880 Northbound On-ramp via Harrison Street, 7th Street, and Jackson Street. Additionally, the project will provide pedestrian improvements at the signalized intersection of Jackson Street/7th Street, including accessible curb ramps and pedestrian countdown signals. This project is the implementation of Strategy B2 of the State Route 260 Deficiency Plan adopted by City Council in October 1999, and is located in City Council District 2.

Funds are available for this project in the amount of \$156,900.00 from the Department of Transportation Fund and in the amount of \$18,724.50 from the Measure B – Bicycle/Pedestrian Fund.

Staff recommends approval of the resolution.

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FISCAL IMPACT

The resolution will authorize a \$175,624.50 construction contract with Ray's Electric. Sufficient funding for the construction contract is available in the following accounts:

- Department of Transportation Fund (2116); Capital Improvement Projects – Traffic Engineering/Parking Organization (92246); Signal and Safety Devices Account (57412); and Jackson Street Operational Improvements Project (G170510), in the amount of \$156,900.00.
- Measure B – Bicycle/Pedestrian Fund (2212); Capital Improvement Projects – Traffic Engineering/Parking Organization (92246); Signal and Safety Devices Account (57412); and Pedestrian Count Down Signals (C232820), in the amount of \$18,724.50.

Funds have been set-aside for Contract Compliance. The Department of Transportation and Measure B Funds are ineligible for the 1.5 percent public art allocation. No public art is incorporated as part of this project because it is exclusively a roadway operations project.

Implementation of this project is not expected to significantly increase annual operation and maintenance costs, and will be covered by the current Public Works Agency's maintenance appropriations.

BACKGROUND

On February 27, 2006, the City Clerk received one bid for the project from Ray's Electric in the amount of \$175,624.50. The engineer's estimates for this project is \$160,005.00. The bid amount is deemed reasonable and is within the project budget. On March 20, 2006, the Office of the City Administrator, Contract Compliance & Employment Services Division determined that the bid contained 13.38% Disadvantaged Business Enterprise (DBE) participation, although the City established no specific goal for this project. A memorandum 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 (L/SLBE) requirements do not apply because this is a federally funded project. However, Ray's Electric is a Small Local Business Enterprise.

Ray's Electric is in compliance with the City's Equal Benefits Ordinance. 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 approximately six to seven weeks after award of the construction contract, resulting in a construction starting date of July 2006. With construction scheduled for 25 working days, the construction is expected to be completed by August 2006. The contract specifies that the contractor will be assessed \$1,000.00 in liquidated damages per calendar day if the contract days are exceeded. The project schedule is shown in Attachment B.

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The expected contract completion date may vary due to unforeseeable construction conditions, such as long lead times for equipment, and inclement weather. The Resident Engineer assigned to this construction project will monitor the contractor's progress to ensure the project is completed in a timely manner.

PROJECT DESCRIPTION

The project will improve the operations of the connection between SR 260 Eastbound (Posey Tube) and the I-880 Northbound On-ramp on Harrison Street from the Posey Tube to 7th Street, 7th Street from Harrison to Jackson Streets, and Jackson Street between 7th and 6th Streets by delineating a second southbound lane on Jackson Street between 6th and 7th Streets. The project location is shown in Attachment C. This project implements Strategy B2 of the State Route 260 Deficiency Plan, which was prepared in response to a 1998 finding by the Alameda County Congestion Management Agency (ACCMA), Congestion Management Program that the connection between the Posey Tube and the I-880 Northbound On-ramp was operating at an unacceptable level of service standard. As required by the ACCMA, the local agencies of Oakland, Alameda, and Berkeley prepared the State Route 260 Deficiency Plan in 1999. The Oakland City Council specifically adopted the Deficiency Plan under Resolution No. 75292 C.M.S. dated October 19, 1999.

The Deficiency Plan recommended a total of seven strategies to improve the operations of the subject freeway connection. Each strategy is to be implemented in sequential order if the previous strategy fails to mitigate the deficiency. Implementation is required in order for the City to conform to the ACCMA Congestion Management Plan and to ensure continued receipt of annual gas tax revenues. Since the adoption of the Deficiency Plan, City staff has been working on Strategies A and B. Strategy A, the closure of the 6th Street connecting ramp to Broadway, has been postponed by Caltrans due to funding uncertainties. In the meantime, City staff has conducted additional analyses, solicited public input and coordinated with other agencies to evaluate Options B1 and B2 under Strategy B.

The Public Works Agency is augmenting the Strategy B2 improvements to be built as part of the construction contract. Additional operational and safety improvements include striping a northbound left-turn lane on Jackson Street at the 6th Street intersection to separate traffic bound to I-880 from traffic bound to downtown and installation of pedestrian signal heads at the Jackson Street/6th Street intersection.

SUSTAINABLE OPPORTUNITIES

Economic: The project will have a positive impact on the local economy by providing jobs for local business, and by improving pedestrian and vehicular safety which will reduce costs of injuries and property damage.

Environmental: The City's construction contract guidelines encourage the use of recyclable materials and waste reduction. The project will reduce traffic congestion, thereby reducing vehicle emissions, noise pollution, and fuel consumption.

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Social Equity: This project will provide greater accessibility and safety to persons who depend on walking and public transit to access jobs and services, such as senior citizens, persons with disabilities, and children.

DISABILITY AND SENIOR CITIZEN ACCESS

This project includes accessibility improvements such as wheelchair ramps with detectable warning domes to assist persons with disabilities and seniors alike.


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, the sole responsible and responsive bidder, for the Route 260 Deficiency Plan: Operational Improvements on Jackson Street at 6th and 7th St. Federal Project No. CML-5012(050) (City Project No. G170510, C232820) in the amount of \$175,624.50.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

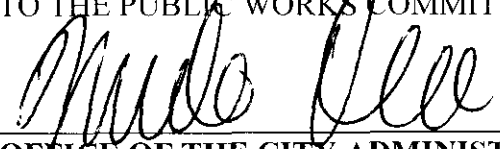


RAUL GODINEZ II, P.E.
Director, Public Works Agency

Reviewed by:
Michael J. Neary, P.E.
Assistant Director, Public Works Agency
Design & Construction Services Department

Prepared by:
Ade Oluwasogo, P.E.
Supervising Transportation Engineer

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

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Public Works Committee
May 9, 2006

OFFICE OF THE CITY ADMINISTRATOR
Contract Compliance & Employment Services Division

Memo

To: Gwen McCormick - Contract Administrator Supervisor
From: Dasco Munoz - Contract Compliance Officer
Through: Deborah Barnes, CC&ES Manager *Deborah Barnes*
Date: March 20, 2006
Re: Route 260 Deficiency Plan: Operational Improvements on Jackson St. at 6th and 7th St.

Contract Compliance & Employment Services reviewed one (1) bid received in response to the above referenced project. Below is the outcome of our compliance evaluation for the DBE race-neutral participation goal and a preliminary review for compliance with the Equal Benefits Ordinance (EBO).

Company Name	Bid Amount	DBE Goal	Total DBE Participation	EBO Compliance Y/N
Ray's Electric	\$175,624.50	0	13.38%	Y

As noted above, Ray's Electric achieved a 13.38% DBE participation on a race neutral project.

Should you have any questions you may contact Dasco Munoz at 238-3970

cc: Contract Compliance File

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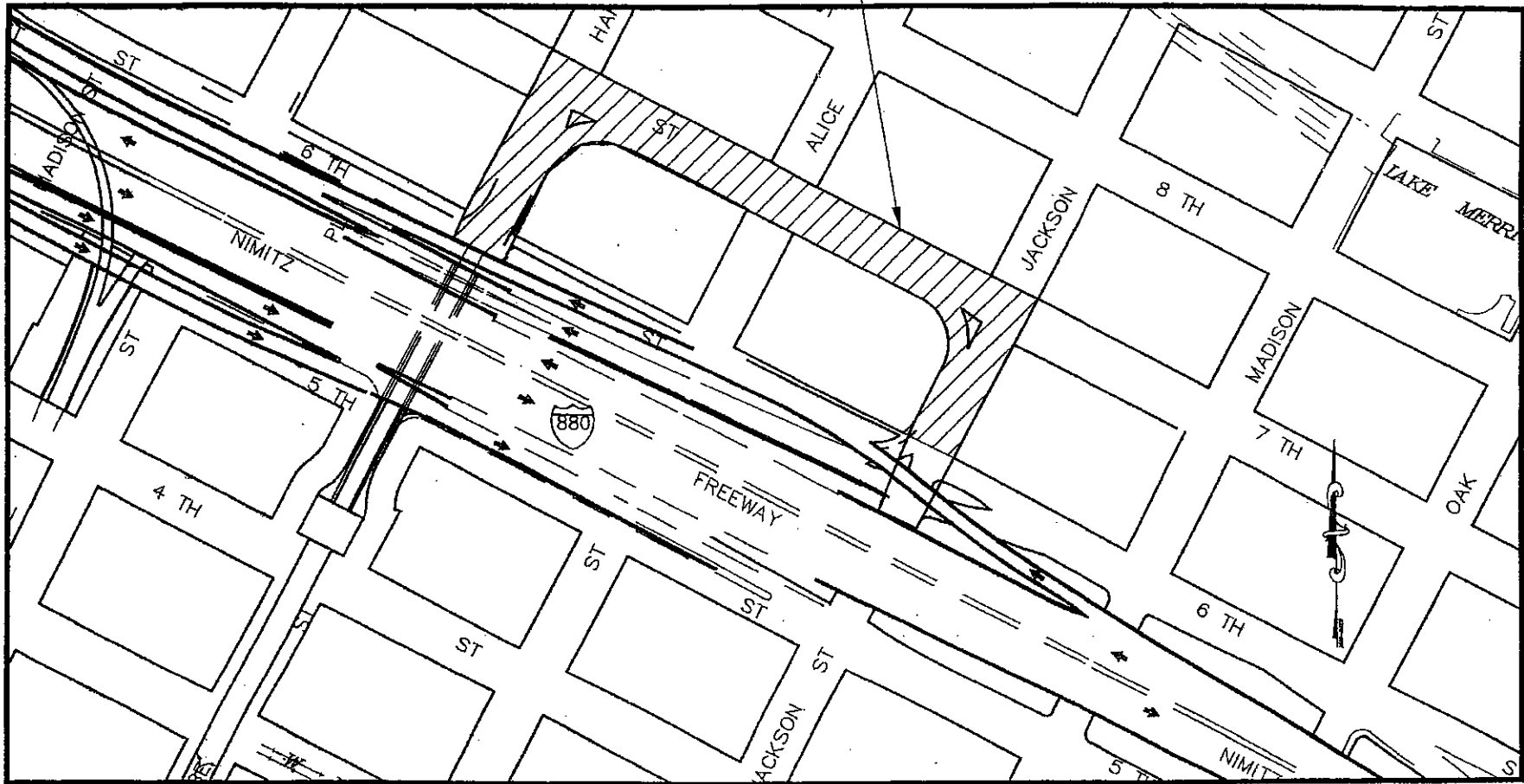
DBE Participation Bidder 1

Project Name: Route 260 Deficiency Plan: Operational Improvements on Jackson St. at 6th and 7th St.

Project No.: G170510/C232820		Engineers Estimate: 160,005.00						Certified DBE Participation		
		Under/Over Engineers Estimate: 15,619.50								
Discipline	Prime & Subs	Location	Cert. Status	DBE Participation	DBE Trucking	Total Trucking	TOTAL Dollars	Ethn.	DBE	WBE
PRIME	Rays Electric	Oakland	UB				124,449.50	C		
Trucking	Williams Trucking	Oakland	CB	2,200.00	2,200.00	2,200.00	2,200.00	AA	2,200.00	
Striping	Diaz Corp	San Jose	CB	21,297.00			21,297.00	H	21,297.00	
Traffic Equipment	McCain	Sacramento	UB				22,178.00	C		
Concrete	Central Concrete	Oakland	UB				5,500.00	C		
Project Totals					23,497.00	2,200.00	2,200.00		\$23,497.00	\$0.00
					13.38%	100.00%	100.00%			
					DBE Goal 0%			Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed		
Legend		CB- Certified DBE Business UB- Uncertified Business								

11/11/03 03:00:00
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STATE ROUTE 260
IMPROVEMENT PROJECT



LOCATION MAP

NOT TO SCALE

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Oakland City Attorney's Office

2006 APR 25 PM 9:31 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, THE SOLE RESPONSIBLE AND RESPONSIVE BIDDER, FOR THE ROUTE 260 DEFICIENCY PLAN: OPERATIONAL IMPROVEMENTS ON JACKSON STREET AT 6TH AND 7TH STREETS PROJECT, FEDERAL PROJECT NO. CML-5012 (050), (CITY PROJECT NO. G170510/C232820) IN THE AMOUNT OF ONE HUNDRED SEVENTY-FIVE THOUSAND SIX HUNDRED TWENTY-FOUR DOLLARS AND FIFTY CENTS (\$175,624.50)

WHEREAS, on February 27, 2006, a sole bid was received by the Office of the City Clerk of the City of Oakland for the Route 260 Deficiency Plan: Operational Improvements on Jackson Street at 6th and 7th Streets Project, Federal Project No. CML-5012(050) (City Project No. C214510, C232820); and

WHEREAS, Ray's Electric, bidding as the prime contractor, submitted a responsible and responsive bid; and

WHEREAS, there are sufficient funds for the construction contract in Department of Transportation Fund (2116); Capital Improvement Projects – Traffic Engineering/Parking Organization (92246); Signal and Safety Devices Account (57412); and Jackson Street Operational Improvements Project (G170510); and Measure B – Bicycle/Pedestrian Fund (2212); Capital Improvement Projects – Traffic Engineering/Parking Organization (92246); Signal and Safety Devices Account (57412); and Pedestrian Count Down Signals (C232820); and

WHEREAS, the project has no specific goal for Disadvantaged Business Enterprise (DBE) participation; and

WHEREAS, Ray's Electric has 13.38% Disadvantaged Business Enterprise (DBE) participation; 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 public interest because of safety and economy; and

WHEREAS, the City Council finds and determines that services under this contract will be temporary; 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 Route 260 Deficiency Plan: Operational Improvements on Jackson Street at 6th and 7th Streets Project, Federal Project No. CML-5012(050) (City Project No. C214510, C232820) is hereby awarded to Ray's Electric in accordance with terms of its bid, dated February 27, 2006, for the amount of one hundred seventy-five thousand six hundred twenty-four dollars and fifty cents (\$175,624.50); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Director of the Public Works Agency for the Route 260 Deficiency Plan: Operational Improvements on Jackson Street at 6th and 7th Streets Project, Federal Project No. CML-5012(050) (City Project No. C214510, C232820) are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$175,624.50 (100% of Contract), and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for amount due under the Unemployment Insurance Act, \$175,624.50 (100% of Contract), 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 all other bids are hereby rejected; 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, _____, 2006

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