



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Ryan Russo
Director, OakDOT

SUBJECT: Contract Award for Highway Safety Improvement Program (HSIP) Cycle 7 Telegraph Avenue Improvement Project

DATE: November 3, 2020

City Administrator Approval 

Date: Nov 13, 2020

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Awarding A Construction Contract To Ray's Electric, For The Highway Safety Improvement Program (HSIP) Cycle 7 Telegraph Avenue Improvement Project, Project No. 1003203, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Two Million One-Hundred Eight Thousand Thirty-Nine Dollars and Fifty-Five Cents (\$2,108,039.55).

EXECUTIVE SUMMARY

Approval of the proposed resolution will award a construction contract in an amount of \$2,108,039.55 to Gruendl Inc. doing business as (dba) Ray's Electric, the lowest, responsible, responsive bidder, for the Highway Safety Improvement Program (HSIP) Cycle 7 Telegraph Avenue Improvement Project, Project No. 1003203, to implement pedestrian, bicycle, transit, and vehicular traffic safety improvements on Telegraph Avenue between 29th Street and 45th Street. Safety improvements include implementation of a road diet through the installation of striping, signage, and pavement markings for high-visibility crosswalks, Class II bicycle lanes, buffers, and bulb-outs as well as construction of ADA-compliant curb ramps, sidewalk extensions and medians, bus boarding islands, rectangular rapid flashing beacons, and intersection and signal modifications at 45th Street.

BACKGROUND / LEGISLATIVE HISTORY

In July 2015, the City of Oakland submitted an HSIP Cycle 7 grant proposal to California Department of Transportation (Caltrans) for the Telegraph Avenue Improvement project based on recommendations in the Telegraph Avenue Complete Streets Plan (Plan), which was approved by City Council in 2014 (Resolution No. 85323 C.M.S. as shown in **Attachment A**). Through this Plan, collision and speed data were collected and analyzed to determine deficiencies on the corridor related to collisions between various modes of travel as well as factors contributing to the collisions such as drivers speeding and failure to yield to both

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pedestrians and bicycles in crosswalks or when making turning movements through crossings. In addition, the Plan recommended phased implementation along the corridor due to funding constraints and the need for further community outreach to achieve consensus in some segments as well as the removal of travel lanes and the installation of bicycle lanes on Telegraph Avenue from 19th Street to 41st Street and associated traffic safety and operation improvements.

In November 2015, the City was awarded with the HSIP grant through a competitive process based on an evaluation of the overall effectiveness of proposed countermeasures to address and reduce the number of severe collisions along the corridor for pedestrians, bicyclists, and vehicles. In March 2016, the City Council passed Resolution No. 86027 C.M.S. as shown in **Attachment B**, which authorized the City Administrator to accept and appropriate the HSIP Cycle 7 grant for the Telegraph Avenue Improvement Project.

A summary of project features includes the following on Telegraph Avenue:

- Installation of crossing improvements including: High-visibility crosswalks, painted bulb-outs, K-71 bollards, ADA-compliant curb ramps, concrete sidewalk extensions, median refuges, signage, striping, and rectangular rapid flashing beacons (RRFB)
- Roadway lane reduction and striping of Class II buffered bicycle lanes on Telegraph Avenue from 29th Street to 37th Street
- Plaza and traffic signal modifications at the intersection of Telegraph Avenue, Shattuck Avenue, and 45th Street
- Installation of concrete bus boarding islands

The project is located in Council District's 1 and 3 as shown in the map in **Attachment C**.

ANALYSIS AND POLICY ALTERNATIVES

The Telegraph Avenue Improvement Project is proposed to address identified traffic safety concerns on Telegraph Avenue related to unsafe speeds of vehicles and pedestrian and bicycle related collisions on the corridor. With the implementation of a road diet to reduce the travel lanes, the project repurposes the travel lane width into buffered bicycle lanes and two-way left turning lanes in the center. The road diet serves as a traffic calming measure intended to reduce the speeds of vehicles on the corridor in addition to removing the "multiple-threat" crashes, where a motorist in the outside lane yields to a pedestrian but the motorist in the inside lane does not due to limited visibility.

The road diet also provides an opportunity to allocate the space into buffered bike lanes along the corridor. In the collision analysis of the corridor studied through the Plan, bicycle-vehicle collisions such as sideswipes and dooring of passing bicycles were identified as concerns. The addition of the buffer adds space between the bicycle path of travel and the door zone for parked cars. This bicycle lane also serves to provide a safer and more comfortable connection for both commute and recreation purposes between North Oakland and Temescal into the Koreatown Northgate and Downtown areas.

In addition, the project proposes various improvements to address safety and visibility at crosswalks and intersections. Striping crossings with high-visibility markings improve yielding along with the addition of bollards and bulb-outs to improve sight lines and visibility between all modes. Between 41st and 45th Streets, the project will also install median refuges and rectangular rapid flashing beacons (RRFBs) to further increase driver yielding behavior at crosswalks along with signs and markings.

On July 17, 2020, the City placed advertisements in East Bay Times, Oakland Post, El Mundo, World Journal, The Korean Times, and Daily Pacific Builder/McGraw-Hill inviting construction bids. During the current COVID-19 emergency, bidders have been given the option to mail bids to the City Clerk, in addition to the City's online bid upload system. With the option provided for contractors to submit their bid by mail, the minimum advertisement has been increased to five weeks from the date of publication.

On August 20, 2020, the Office of City Clerk received five bids from McGuire & Hester, Ray's Electric, Redgwick Construction, Beliveau Engineering, and Bay Construction, as shown in the **Attachment D**.

The projects were advertised and structured with bid alternatives for inclusion into the project based on their cost and availability of budget. The alternatives are described as follows:

- Bid Alternate 1 – Painted Safety Zones
- Bid Alternate 2 – Modulated Bus Boarding Island with Pedestrian Ramp
- Bid Alternate 3 – Concrete Bus Boarding Island

The basis of award was advertised to be the lowest of either base bid plus alternate two (2) or base bid plus alternate three (3). Upon staff analysis of the bids received and the cost-benefit of improvements, staff recommends awarding the base bid plus alternate three (3), in addition to alternate one (1).

The City Administrator's Office, Contracts and Compliance Unit determined that Ray's Electric bid is Equal Benefits Ordinance (EBO) compliant, meets the project Disadvantaged Business Enterprise (DBE) goal of 14.65%, and is therefore the lowest, responsible, responsive bidder. Beliveau Engineering is the lowest bidder but failed to meet the project DBE goal and was deemed non-responsive. The Compliance Analysis Memorandum with the entire outcome of the compliance evaluation is shown in **Attachment E**.

Ray's Electric's bid of \$2,108,039.55 is twenty-three percent (23%) over the Engineer's Estimate of \$1,710,053.00. However, staff determined that Ray's Electric's bid is reasonable with available sufficient funds. Hence, Ray's Electric is recommended to be awarded the contract.

Staff has also identified Measure KK funding for the construction engineering and management of the project by City staff in an amount of \$365,645.00. This will provide funding for staff to oversee the project delivery such as managing contractors and construction activities, inspecting materials and construction, planning, scheduling, evaluating performance, and documenting and reporting on progress.

FISCAL IMPACT

Approval of the resolution will authorize the City Administrator to execute a construction contract with Ray's Electric as follows:

AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Construction Contract: \$2,108,039.55

SOURCES OF FUNDING:

The project is funded by the HSIP Cycle 7 grant funds and Measure KK. Caltrans has authorized the use of grant funds for the construction contract of the Telegraph Avenue Improvement project. A local match is required as a condition of the grant.

CONSTRUCTION FUNDING SOURCE	AMOUNT
Grant: Highway Safety Improvement Program (HSIP) Cycle 7 Telegraph Avenue Improvement Project (No. 1003203), Project Delivery Organization (92270), Street Improvements Account (57411), Construction Task (8.0), Award (23032)	\$1,145,250
Local Match: Measure KK Complete Streets Project (No. 1003348), Engineering Design: Traffic/Parking Organization (92246), Street Improvements Account (57411), Administration Task (1.0), Award (23686)	\$962,789.55
TOTAL FUNDS	\$2,108,039.55

Upon approval, the following additional funds will be distributed into the project for the purpose of funding construction engineering and management for the project.

CONSTRUCTION ENGINEERING FUNDING SOURCE	AMOUNT
Local Match: Measure KK Complete Streets Project (No. 1003348), Engineering Design: Traffic/Parking Organization (92246), Street Improvements Account (57411), Administration Task (1.0), Award (23686)	\$365,645.00
TOTAL FUNDS	\$365,645.00

PUBLIC OUTREACH / INTEREST

During the grant application development phase, the project was presented to the Bicyclist and Pedestrian Advisory Commission (BPAC) and received a letter of support thereafter. The project also received letters of support from Bay Area Rapid Transit (BART), AC Transit, and Bike East Bay.

In March 2019, the Department of Transportation (OakDOT) held a Telegraph Community Workshop to share the project with the community and to receive community inputs on the designs. Flyers and online notices promoting a user survey, merchant surveys, and mailers to

residents along the corridor were also used to gather input for making the decision on the final design of Class II buffered bike lanes in the segment connecting Telegraph Avenue neighborhoods.

COORDINATION

This report and legislation have been reviewed by the Office of the City Attorney, Budget Bureau, and the Department of Workplace and Employment Standards. Staff coordinated with the following City Departments and stakeholders as listed below:

- OPW Construction Management Division
- OPW Bureau of Infrastructure and Operations
- OPW Bureau of Facilities and Environment
- Bureau of Planning
- State of California, Department of Transportation (Caltrans)
- AC Transit Planning and Operations Division

PAST PERFORMANCE, EVALUATION, AND FOLLOW-UP

Contractor Performance Evaluations on Ray's Electric from previously completed projects are satisfactory, and are noted on ***Attachment F***.

SUSTAINABLE OPPORTUNITIES

Economic: Pedestrian and bicycle friendly streets are good for business. Evaluations of similar projects find that people shop more frequently and spend more money overall at local businesses after investments in pedestrian and bicycle safety are made. As part of the federal fund requirement, contractor is required to meet the 14.65% DBE obligation. In addition to the DBE requirement, Ray's Electric also includes 45% of Small Local Business Enterprise (SLBE) participation. The construction contract will create job opportunities for Oakland residents through these requirements.

Environmental: The project will provide a safer route for pedestrians, bicycles, and transit in the project area, and thereby providing a more attractive alternative mode of transportation and helping to reduce vehicle emissions and Oakland's carbon footprint. These combined improvements will contribute to an overall shift in mode of transportation away from single occupancy vehicles, and towards walking, biking, and transit. Furthermore, during construction, the project will also implement the Best Management Practices (BMPs) 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. Specifically, the project segment of Telegraph Avenue between 29th Street and I-580 is identified as a Metropolitan Transportation Commission (MTC) Community of Concern. The definition of a Community of Concern is when

a geographic area is disadvantaged with regards to certain demographic and socioeconomic characteristics. Overall, this new infrastructure will improve transportation, safety, and economic activity in the project area. Persons with disabilities will be particularly benefited by the curb ramps installed, and audible pedestrian signals built into the traffic signal and beacons. Enhanced safety along bikeways and crossings are a key tool to reduce severe and fatal injury crashes by reducing speeding, and in Oakland, severe and fatal traffic crash victims are predominantly people of color, and people of color are more likely to live in zero-car households and thus more dependent on walking, bicycling, and transit to get around.

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 Adopt A Resolution Awarding A Construction Contract To Ray's Electric, For The Highway Safety Improvement Program (HSIP) Cycle 7 Telegraph Avenue Improvement Project, Project No. 1003203, The Lowest, Responsible, Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Two Million One-Hundred Eight Thousand Thirty Nine Dollars and Fifty-Five Cents (\$2,108,039.55).

Edward D. Reiskin, City Administrator

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For questions regarding this report, please contact Si Lau, Supervising Civil Engineer, at 510-238-6105.

Respectfully submitted,



Ryan Russo
Director, Department of Transportation

Reviewed by:
Wladimir Wlassowsky, P.E.,
Assistant Director
Department of Transportation

Reviewed by:
Mohamed Alaoui, P.E., T.E.
Manager
Department of Transportation

Reviewed by:
Si Lau, P.E., T.E.
Supervising Civil Engineer
Department of Transportation

Prepared by:
Edmond Siu, P.E., T.E.
Civil Engineer
Department of Transportation

Attachments (6):

- A: Resolution 85323 C.M.S. Telegraph Avenue Complete Streets Plan
- B: Resolution 86027 C.M.S. Accept and Appropriate HSIP Grant
- C: Location Map
- D: List of Bidders
- E: Contract Compliance Report
- F: Contractor Performance Evaluation