



Office of the City Manager

CONSENT CALENDAR
March 21, 2023

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Liam Garland, Director, Department of Public Works
Subject: Contract No. 32100192 Amendment: California Constructores for Sidewalk Repairs FY 2020 Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No. 32100192 with California Constructores, increasing the contract amount by \$200,000 for a total not-to-exceed amount of \$2,375,900.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract amendment is currently available in the FY 23 Measure BB Sales Tax budget (Fund 134). No other funding is required, and no other projects will be delayed due to this expenditure.

Construction Contract

Current Authorized Contract Amount	\$2,175,900
This Amendment Amount.....	\$200,000
Total Construction Contract Cost	\$2,375,900

Funding Sources

Measure BB Sales Tax (Fund 134).....	\$200,000
Total Amendment Amount	\$200,000

CURRENT SITUATION AND ITS EFFECTS

The contract with California Constructores for the Sidewalk Repairs FY 2020 Project was executed on June 29, 2021, for a total not exceeding \$2,000,000 (Resolution No. 69,821-N.S.).

On September 28, 2021, Council authorized the City Manager to amend Contract No. 32100192 with California Constructores, increasing the contract amount by \$175,900 for a total not-to-exceed amount of \$2,175,900, in order to compensate the Contractor for completing safety-related pedestrian improvements at California Street and Dwight Way intersection (Resolution No. 70,031-N.S.). The amount of this amendment was designated for a specific purpose and was not intended to be used as a contingency for the original scope of the contract.

While the initial authorized contract amount included an 18% contingency, as construction progressed, the contingency was found to be insufficient.

The contingency was primarily depleted by the following factors:

1. Addition of Path repair work. Scope was added in order to include repairs to several Berkeley Paths that were identified as high priority by City staff in conjunction with Berkeley Path Wanderers Association. The funding identified for this work will come from the 2021 T1 Path Repair Project.
2. Addition of drainage work at Prince/Dana. Scope was added in order to address known drainage issues near the intersection of Prince St and Dana St. The work consisted of curb reconstruction and asphalt paving in order to appropriately grade the street to improve surface flow and prevent standing water.
3. Unanticipated changes to work due to unforeseen conditions. During the course of the work, various unforeseen conditions across hundreds of sidewalk repair locations accounted for several items of extra work including but not limited to, repairs to shallow water laterals damaged during construction, replacement of unsalvageable utility boxes, and removal of unanticipated tree roots.

The Sidewalk Repairs FY 2020 Project is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

In October 2011, the City established a sidewalk repair and replacement program to improve the quality of Berkeley's sidewalks. There are approximately 375 total miles of concrete sidewalks within the city limits. The City currently shares sidewalk replacement costs with property owners on a 50-50 basis, irrespective of the cause of the deterioration. Concrete sidewalk replacement, however, had only been completed on a "funds-available" basis, which resulted in a ten-year backlog of customers awaiting replacement. In recent years, with the increase in available funding from the Capital Improvement Fund and the addition of Measure T1 funding, the projected waiting period for addresses added to the waitlist at present has been reduced from 8-10 years to 3-5 years.

Additionally, the Department of Public Works has reduced the number of sidewalks requiring permanent replacement by deploying alternative means of repair, such as concrete shaving. While the shaving process has been highly successful and cost-effective, uplifts over 2 inches require removal and replacement. Shaving often does not address the underlying issue for the uplift, such as shallow tree roots, and sidewalk removal and replacement remain the most effective solution.

The Sidewalk Repairs FY 2020 Project addressed over 625 locations identified as requiring removal and replacement from the 50-50 sidewalk repair program backlog.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The City's sidewalk repair program is a component of the City's climate action plan, as well-maintained sidewalks help to facilitate safe walking, which is a healthy and clean form of transportation.

RATIONALE FOR RECOMMENDATION

This increase to the contract is necessary to address unforeseen conditions, perform supplemental work to enhance the Project, and complete current change orders. The work requires contracted services, as the City does not possess the in-house labor or equipment resources necessary to complete the Project.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

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Farid Javandel, Deputy Director of Public Works, Transportation and Engineering (510) 981-7061

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 32100192 AMENDMENT: CALIFORNIA CONSTRUCTORES FOR
SIDEWALK REPAIRS FY 2020 PROJECT

WHEREAS, Council authorized the City Manager to enter into a contract with California Constructores for construction of the Sidewalk Repairs FY 2020 Project in the amount of \$2,000,000 on April 27, 2021 (Resolution No. 69,821-N.S.); and

WHEREAS, Council authorized the City Manager to amend Contract No. 32100192 with California Constructores, increasing the contract amount by \$175,900 for a total not-to-exceed amount of \$2,175,900, in order to compensate the Contractor for completing safety-related pedestrian improvements at California Street and Dwight Way intersection (Resolution No. 70,031-N.S.); and

WHEREAS, the scope for safety-related repairs to several paths was added to the Project; and

WHEREAS, unanticipated conditions were encountered during construction, resulting in additional work to complete the Project; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake the Sidewalk Repairs FY 2020 Project; and

WHEREAS, an increase of \$200,000 to the not-to-exceed contract amount is necessary to complete change orders and supplement project elements; and

WHEREAS, funding is available in the current year's budget in the Measure BB Sales Tax (Fund 134).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32100192 with California Constructores for the Sidewalk Repairs FY 2020 Project, increasing the contract amount by \$200,000 for a total amended amount not to exceed \$2,375,900. A record signature copy of any amendments is to be on file in the Office of the City Clerk.