



Office of the City Manager

CONSENT CALENDAR
May 14, 2024

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Terrance Davis, Director of Public Works
Subject: Contract (Specification No. 23-11556-C): Koios Engineering, Inc. for MRP Trash Capture FY 2023 Project

RECOMMENDATION

Adopt a Resolution:

- Approving plans and specifications for the MRP Trash Capture FY 2023 Project, Specification No. 23-11556-C;
- Accepting the bid of the lowest, responsive and responsible bidder, Koios Engineering, Inc.; and
- Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project, in accordance with the approved plans and specifications in an amount not to exceed \$460,350.

FISCAL IMPACTS OF RECOMMENDATION

Funding for the project is available in the Storm Water Capital Improvement Program budget. No other funding is required.

Bid submitted by Koios Engineering, Inc.	\$418,500
10% Contingency	\$41,850
Total construction cost	\$460,350
Clean Storm Fund	\$460,350

CURRENT SITUATION AND ITS EFFECTS

The MRP Trash Capture FY 2023 Project (Specification No. 23-11556-C) was previously advertised for bids in 2023. At the time of the bid opening a clerical error resulted in the misplacement of a submitted bid. The bid was located immediately after the public opening and was found to be the lowest responsive bid. The City informed bidders of the error and of the City’s intention to award to the contractor who submitted the misplaced bid. A bid protest was submitted shortly after by the second lowest bidder. To mitigate potential litigation risk, Staff recommended that bids be rejected and that the project be re-advertised. City Council approved this recommendation with Resolution No. 70,792.

Following the rejection of bids and some changes in project scope, the project was re-issued for bids on February 28, 2024, and bids were opened on March 26, 2024. Three non-local bids were received, from a low of \$390,850 to a high of \$531,534. The engineer’s estimate for the project was \$450,000. The lowest bid, submitted by Corcus Construction, Inc. was found to be non-responsive, as the bid was missing required documentation.

Koios Engineering, Inc. (Koios) of San Francisco, CA, was the lowest, responsive and responsible bidder with a bid of \$418,500. References for Koios proved satisfactory.

This project supports the City’s Strategic Plan goals of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities and of being a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

Under the Municipal Regional National Pollutant Discharge Elimination System Stormwater Discharge Permit (MRP) the City is mandated to implement trash load reduction controls to reduce trash discharges to receiving water bodies. The current MRP, Order No. R2-2022-0018, stipulates permittees are required by June 30, 2025 to reduce trash discharge levels by 100% relative to benchmark levels established in 2009.

To date, the City has achieved a 65 percent trash load reduction through the installation of 407 full trash capture devices throughout many of the City’s medium, high, and very high trash generating areas. Full trash capture devices (FTCDs) are storm drain inlet-based controls which keep trash within the inlet structures, preventing it from advancing further downstream and onto receiving waters. The MRP Trash Capture FY 2023 Project would install approximately 140 additional FTCDs, mostly in moderate and high trash generating areas, allowing the City to achieve an additional 10 percent trash load reduction credit.

The City is also in the implementation phase of a visual trash assessment program to document the efficacy of existing trash management activities such as street sweeping, illegal dumping response and enforcement, and other trash controls currently being implemented by the City. Once the assessment is complete, the City may be able to claim up to an additional 20% trash load reduction.

The table below provides a summary of current and planned trash management actions which the City is implementing to reach its regulatory goal by the target deadline.

Trash Control Measure	Estimated Trash Load Reduction
Current trash reduction achieved with FTCDs	65%
Reduction expected from MRP Trash Capture FY 2023 Project	10%
Additional trash capture controls to be implemented in FY 2025	2-5%

Trash Control Measure	Estimated Trash Load Reduction
Implementation of inspection, outreach, and enforcement program to manage trash in select private properties (On-going, to be completed in FY 2025)	3%
Other existing and planned trash management actions: Street sweeping, illegal dumping response and enforcement, signage, manual trash pickup by Downtown Streets team, and other trash controls (Current and planned to be completed in FY 25)	17-20%

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The continued efforts to reduce trash and litter entering the storm drain systems improve the health of Berkeley’s creeks and waterways, improves water quality, protects native flora and fauna, and prevents pollutants from entering San Francisco Bay.

RATIONALE FOR RECOMMENDATION

Under MRP 3.0, Provision C.10, “Trash Load Reduction,” the City is mandated to reduce trash and litter in its storm drain system and waterways that flow to the San Francisco Bay. The nature of the work necessitates contracted services, as the City lacks the requisite in-house labor to undertake the project.

ALTERNATIVE ACTIONS CONSIDERED

No alternative actions were considered for this trash capture project. The installation of full trash capture devices is an effective way for the City to meet regulatory requirements.

CONTACT PERSON

Wahid Amiri, Deputy Director, Public Works, (510) 981-6396
Ronald A. Nevels, Manager of Engineering, Public Works, (510) 981-6439
Srinivas Muktevi, Supervising Civil Engineer, Public Works, (510) 981-6402

Attachments:

- 1: Resolution
- 2: Abstract of Bids

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

CONTRACT: KOIOS ENGINEERING, INC. FOR MRP TRASH CAPTURE FY 2023
PROJECT

WHEREAS, the City is a permittee under Municipal Regional National Pollutant Discharge Elimination System (NPDES) San Francisco Bay Region Stormwater Discharge Permit, Order No. R2-2022-0018 (MRP 3); and

WHEREAS, under Provision C.10 of MRP 3, by June 30, 2025, the City is required to reduce the trash load reaching San Francisco Bay by 100% relative to benchmark levels established in 2009; and

WHEREAS, the MRP Trash Capture FY 2023 Project is part of the City's ongoing efforts to reach the regulatory trash load reduction milestones; and

WHEREAS, the City does not possess the in-house labor necessary to undertake this Project in a timely fashion; and

WHEREAS, the MRP Trash Capture FY 2023 Project (Specification No. 23-11556-C) was previously released for bids in 2023 and at the time of bid opening a clerical error resulted in a bid protest and potential litigation risk if the City moved to award; and

WHEREAS, Council Resolution No. 70,792 approved the rejection of bids and authorized the City Manager to re-advertise the MRP Trash Capture FY 2023 Project; and

WHEREAS, following the rejection of bids and some changes in project scope an invitation for bids was duly re-advertised and bids were opened on February 28, 2024; and

WHEREAS, the City received three bids, and Koios Engineering, Inc. was found to be the lowest cost, responsive and responsible bidder; and

WHEREAS, funding is available in the current year budget in the Clean Storm Fund (616).

THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the plans and specifications for the MRP Trash Capture FY 2023 Project, Specification No. 23-11556-C are approved.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions or change orders, until completion of the project in accordance with the approved plans and specifications with Koios Engineering, Inc. for the MRP Trash Capture FY 2023 Project, in an amount not to exceed \$460,350, which includes a 10% contingency for unforeseen circumstances. A record signature copy of said agreement and any amendments to be on file in the Office of the City Clerk.



City of Berkeley

Abstract of Bid Worksheet

Finance Department
General Services Division

FOR MRP Trash Capture FY 2023 Project
Spec. # 23-11556 (Re-Issue)

Bid Date: 3/26/2024

required w/ bi0d

	Bidders	Base Bid	Addenda	Bid Bond	Exp. & Fin. Qualifications	Taxpayer	NF	OS	SC	EBO
1	Corcus Construction <i>(NON-RESPONSIVE BID. Missing required documentation)</i>	\$ 390,850.00		X	X	X	X	X	X	X
2	Koios	\$ 418,500.00	X	X	X	X	X	X	X	X
3	United Storm Water Inc.	\$ 531,534.00	X	X	X	X	X	X	X	X
4										
5										
6										
7										
8										
9										
10										

Bid Recorder: Roopreet Soorma

R Soorma

Date: 03/26/2024

Bid Opener: Josh Roben

Josh Roben
Josh Roben (Mar 27, 2024 11:31 PDT)

Date: Mar 27, 2024

Project Manager: Ricardo Salcedo

Ricardo Salcedo

Date: Mar 27, 2024

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