



Town of Moraga	Agenda Item
Ordinances, Resolutions, Requests for Action	11. D.

Meeting Date: June 23, 2021

TOWN OF MORAGA

STAFF REPORT

To: Honorable Mayor and Councilmembers

**From: Shawn Knapp, Public Works Director / Town Engineer
Sharon Chan, Assistant Engineer**

Subject: Consider Resolution ____ - 2021 Awarding a Construction Contract to Bear Construction, Inc. (Hayward, CA) for the 2021 Street Repair Project (Phase I) in the Amount of \$299,669 and Authorizing the Town Manager to Execute the Construction Contract and Contract Change Orders for up to \$29,967 (10% of the Contract Amount) for a Total Amount Not to Exceed \$329,636 (Status: CEQA Exempt)

Background

The 2021 Pavement Resurfacing Project is included in the Town of Moraga's Fiscal Year 2020/21 Capital Improvements Program. As part of the 2021/22 Capital Improvement Program, the completion of the 2021 Street Resurfacing Project was identified as a Town Council Goal.

In March 2020, the Town engaged NCE to review the Pavement Condition Index (PCI) data from the StreetSaver program for the Town's streets and select streets based on the PCI to identify appropriate candidate streets for surface treatment. NCE then conducted site assessments to confirm the suitability for the treatment and provided a list of potential streets and a preliminary estimate of costs. Town staff worked collaboratively with NCE to develop a final list for the 2021 treatment based on available funding and future work considerations.

To advance the 2021 Pavement Resurfacing Project (CIP 21-401) and optimize the use of the available funding, the project was divided into two phases. Phase 1, addressed in this contract, consists of repair of major pavement defects and base failures. The subsequent phase will address resurfacing of the remaining portions of the streets which have less damage and are therefore more suitable for maintenance level treatments. Within funding constraints, Phase 2 of the 2021 Pavement Resurfacing Project is proposed to address the installation of surface treatment upon those portions of the listed streets where large base failure repairs were not undertaken and is expected to be addressed in a separate contract. A list of streets included in Phase 1 of the project follow:

- 1 • Amberwood Court: West end to Larch Ave
- 2 • Archer Circle: West end to Woodside Drive
- 3 • Ashford Place: Corliss Drive to North end
- 4 • Augusta Drive: St. Andrews Drive to 1005 S St. Andrews Drive
- 5 • Selborne Way East: Oxford Drive to East end
- 6 • Fernwood Drive: Bedford Place to Newberry Place
- 7 • Cypress Point Way: St. Andrews Drive to East end
- 8 • Corliss Drive: 485 to 1205 Crossbrook Court
- 9 • Country Club Drive (EB): St. Andrews Drive to School Street
- 10 • Fleuti Drive: Sanders Drive to North end
- 11 • Via Granada: Corte del Sol to Calle la Mesa

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 13 To obtain economies of scale and address immediate needs, the 2021 Street Repairs
 14 Project includes both Phase 1 of the 2021 Pavement Resurfacing Project and a revokable
 15 additive bid alternate (Alternate 1) for base failure repairs along three major arterials:
 16 Canyon Road; St. Mary’s Road; and Moraga Road. Funding of the Alternate 1 work is
 17 included in the Annual Street Repairs Project (CIP 21-405) included in the Proposed FY
 18 2021/22 Budget

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 20 On February 4, 2021, the Town engaged NCE to aid in preparing the Plans, Specification,
 21 and Engineer’s Estimate for the 2021 Street Repair Project (Phase I). The project was
 22 advertised for bidding beginning on May 3, 2021, and bids were received and opened on
 23 June 3, 2021.

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 25 **Discussion**

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 27 The project documents for the 2021 Street Repair Project were advertised for bidding
 28 pursuant to Moraga Municipal Code Chapter 3.06 and Public Contract Code section
 29 22037 on the Town’s website, in the Contra Costa Times, and numerous builders’
 30 exchanges. The construction contract documents provided for bidding are available for
 31 viewing at: <https://www.moraga.ca.us/bids.aspx?bidID=12>. The public construction bids
 32 were received on or before Thursday, June 3, 2021, at 2:00 pm, and bids were opened
 33 publicly at 2:15 p.m. Three (3) bids were received and read publicly for the 2021 Street
 34 Repair Project as follows:

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36 Contractor	Base Bid	Alternate 1	Total Bid
37 Bear Construction, Inc.	\$224,015	\$75,654	\$299,669
38 Sandstone Environmental Engineer	\$398,521	\$118,988	\$517,519.20
39 Bay Cities Paving and Grading, Inc.	\$408,995	\$168,340	\$577,335

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 41 Sandstone Environmental Engineer was deemed nonresponsive because they used bid
 42 forms included with the originally issued set of bid documents, and therefore neither made
 43 all required certifications nor submitted prices for all bid items. Bear Construction, Inc.
 44 was the apparent lowest bidder at \$299,669. The determination of lowest bid was, as
 45 provided in the bid documents, based on the sum of the base bid (Phase 1) plus
 46 Alternate 1 as advertised. No bid protests were received.

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1 Bear Construction, Inc. (Bear) has been in business since 1916 and is a local family-
2 owned company headquartered in Hayward, California. Recently, Bear has satisfactorily
3 completed several similar projects for the Cities of Salinas and Hayward. Based on
4 analysis of the bid packages, Bear is the lowest responsive and responsible bidder; the
5 bid proposal was reasonable and competitive.

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7 The total construction contract cost is \$299,669. A construction contingency of 10%
8 (\$29,967) brings the total construction cost plus contingency to \$329,636. The
9 construction cost bid is approximately 21% under the Engineer's Estimate of \$380,000
10 for 2021 Street Repair Project (Phase 1) and Alternate 1.

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12 **CEQA**

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14 This project is not subject to environmental review under the California Environmental
15 Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the
16 CEQA Guidelines (14 Cal. Code Regs. 15000 et. seq.) as this project is categorically
17 exempt pursuant to 14 Cal. Code Regs. 15301 (Class 1-Existing Facilities).

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19 **Fiscal Impact**

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21 Funding for the \$246,417 (\$224,015 construction contract, \$22,402 contingency)
22 construction cost of phase 1 of the 2021 Pavement Resurfacing Project (CIP 21-401) is
23 included in the amended FY 2020/21 Budget, which includes \$628,000 in funding from
24 the following sources:

25	Fund 711 Pavement Management	\$325,000
26	Fund 213 Measure K	<u>\$303,000</u>
27		Total \$628,000

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29 Funding for the \$83,219 (\$75,654 construction, \$7,565 contingency) construction cost of
30 a portion of the Annual Street Repairs Project (CIP 21-405) is included in the Proposed
31 FY 2021/22 Budget, which includes \$230,000 in funding from Fund 212 Garbage Vehicle
32 Impact Fees.

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34 Reviewed by Norm Veloso, Administrative Services Director.

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36 **Alternatives**

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38 1. Adopt the attached Resolution; or
39 2. Adopt the attached Resolution with modifications; or
40 3. Not adopt the attached Resolution and provide direction to staff.

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42 **Recommendations**

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44 Adopt Resolution ____ - 2021 Awarding a Construction Contract to Bear Construction, Inc.
45 (Hayward, CA) for the 2021 Street Repair Project in the Amount of \$299,669 and
46 Authorizing the Town Manager to Execute the Construction Contract and Contract
47 Change Orders for up to \$29,967 (10% of the Contract Amount) for a Total Amount Not
48 to Exceed \$329,636 (*Status: CEQA Exempt*)

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**Report reviewed by: Cynthia Battenberg, Town Manager
Denise Bazzano, Assistant Town Attorney**

Attachments:

- A.** Resolution ____ - 2021 Awarding a Construction Contract to Bear Construction, Inc. (Hayward, CA) for the 2021 Street Repair Project in the Amount of \$299,669 and Authorizing the Town Manager to Execute the Construction Contract and Contract Change Orders for up to \$29,967 (10% of the Contract Amount) for a Total Amount Not to Exceed \$329,636 (Status: CEQA Exempt)
- B.** Bid Tabulations