



Office of the City Manager

CONSENT CALENDAR  
December 11, 2018

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Phillip L. Harrington, Director, Department of Public Works  
Subject: Contract: Gallagher & Burk, Inc. for FY 2018 Measure M Street Rehabilitation Project

RECOMMENDATION

Adopt a Resolution approving plans and specifications for the FY 2018 Measure M Street Rehabilitation Project, Specification No. 18-11179-C (Re-Issued); accepting the bid of Gallagher & Burk, Inc. as the lowest responsive and responsible bidder; 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 \$3,863,909.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available from the Street Capital Improvement Program Fund 506. No other funding is required, and no other projects will be delayed due to this expenditure.

Low bid by Contractor	\$3,219,924
20% Contingency	\$643,985
<b>Total construction cost</b>	<b>\$3,863,909</b>

FY 2019 Funding:

Street & Transportation Capital Improvement Program Funds	
Measure M Streets & Watershed GO Bond	
(506-54-623-673-3012).....	\$3,863,909
<b>Total construction cost</b>	<b>\$3,863,909</b>

This contract has been assigned CMS No. YJ5CX.

CURRENT SITUATION AND ITS EFFECTS

This contract is for streets initially designated for construction in calendar year 2018, and has gone through planning, coordinating with outside utility companies, preliminary cost estimates, field investigations, surveys, and extensive design prior to implementation. The FY 2018 Measure M Street Rehabilitation Project (Specification No. 18-11179-C) was released for bids on May 10, 2018, and bids were scheduled to be opened on May 31, 2018. No bids were received.

The FY 2018 Measure M Street Rehabilitation Project (Specification No. 18-11179-C (Re-Issued)) was re-released for bids on October 18, 2018, and bids were opened on November 8, 2018 (see Attachment 3, Abstract of Bids). Four non-local bids were received, from a low of \$3,219,924 to a high of \$4,598,630. Gallagher & Burk, Inc. of Oakland, California was the lowest responsive and responsible bidder, and their references were found to be satisfactory. Staff recommends a contract for this project be awarded to them. The consultant engineer's base bid estimate for the project is \$3.1 million.

### BACKGROUND

Streets throughout Berkeley are scheduled for rehabilitation as part of the City's Five-Year Street Rehabilitation Plan. This contract is for construction of approximately 1.7 miles of City streets (see Attachment 2: Location Map & List of Streets) and consists of selected streets.

In addition to street pavement, the project incorporates many other improvements to selected streets as part of a "complete street" approach that repairs or replaces street infrastructure such as curb ramps, curbs, sidewalks, drainage inlets and pipes, gutters, street signage and striping. These non-pavement related costs represent approximately 30 to 40% of the construction costs.

The Living Wage Ordinance does not apply to this project since Public Works construction contracts are, pursuant to City policy, subject to State prevailing wage laws. Contractor has submitted a Certification of Compliance with the Equal Benefits Ordinance. The Community Workforce Agreement applies to this project because the estimated value of the project exceeds \$500,000. As a result, the successful bidder and all subcontractors will be required to sign an agreement to be bound by the terms of the Agreement.

The project plans and specifications are on file in the Public Works Department. In accordance with the requirements of the California Environmental Quality Act (CEQA), these projects have been determined to be categorically exempt because they consist of maintenance of existing streets and do not expand their use beyond existing conditions.

### ENVIRONMENTAL SUSTAINABILITY

During analysis and revision of the Five-Year Street Paving Plan, these project locations were analyzed for possible green infrastructure improvements to treat urban runoff before entering the storm drain system. It was determined that green infrastructure improvements would be more beneficial at alternative paving locations that would be funded by Measure M.

### RATIONALE FOR RECOMMENDATION

This street repair project is part of the City's ongoing annual program to rehabilitate deteriorated streets throughout the City. 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

No alternative actions were considered for this pavement rehabilitation project.

CONTACT PERSON

Nisha Patel, Manager of Engineering & City Engineer (510) 981-6406

Joe Enke, Supervising Civil Engineer (510) 981-6411

Attachments:

- 1: Resolution
2. Location Map & List of Streets for Project
- 3: Abstract of Bids

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

CONTRACT: GALLAGHER & BURK, INC. FOR FY 2018 MEASURE M STREET  
REHABILITATION PROJECT

WHEREAS, the FY 2018 Measure M Street Rehabilitation Project is part of the City's ongoing Street Capital Improvement Program to rehabilitate deteriorated streets located throughout the City; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this FY 2018 Measure M Street Rehabilitation Project; and

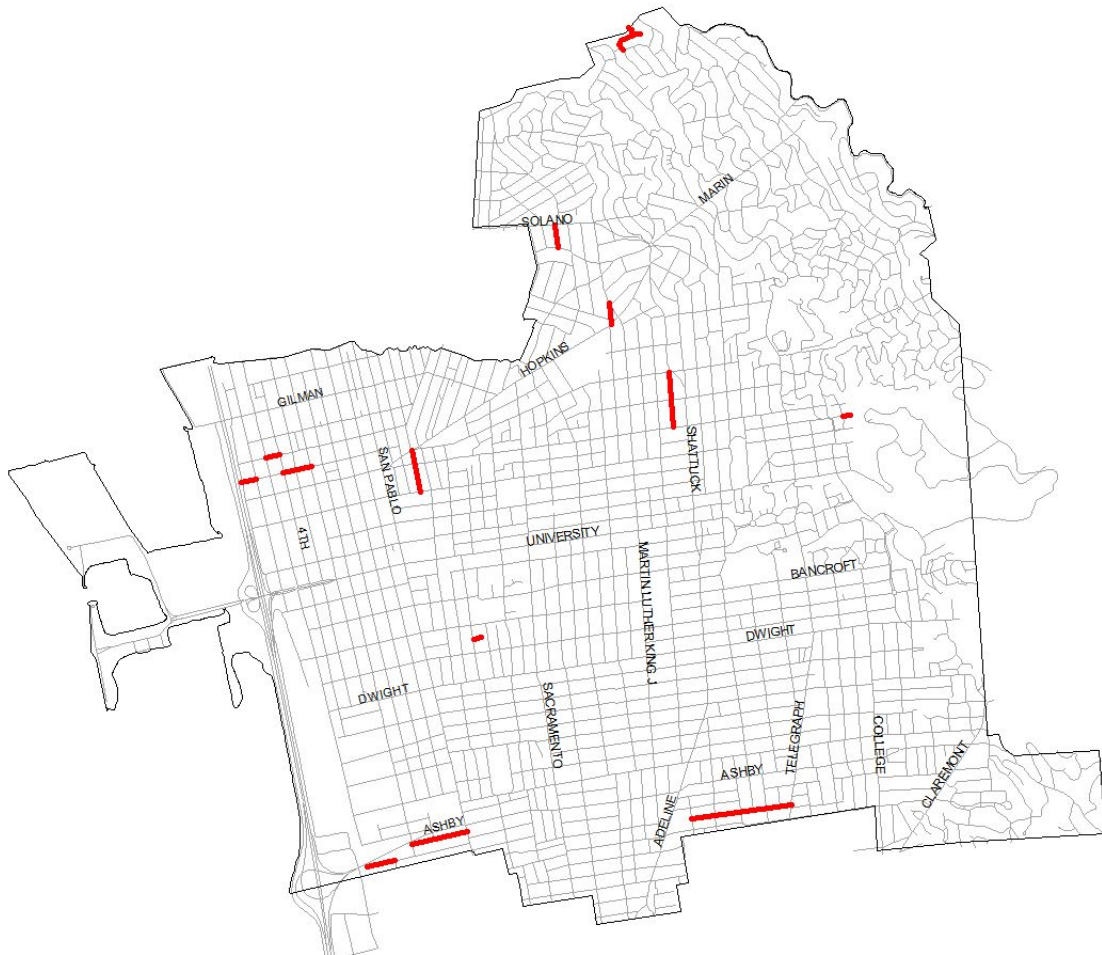
WHEREAS, an invitation for bids was duly advertised and Gallagher & Burk, Inc. was the lowest responsive and responsible bidder; and

WHEREAS, funding is available in the current year budget in the Measure M Streets & Watershed General Obligation Bond (Fund 506) and the contract has been entered into the citywide contract database with CMS No. YJ5CX.

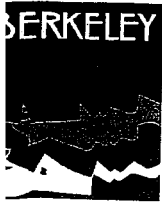
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specification No. 18-11179-C (Re-Issued) for the FY 2018 Measure M Street Rehabilitation Project are approved.

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 Gallagher & Burk, Inc. for the FY 2018 Measure M Street Rehabilitation Project, in an amount not to exceed \$3,863,909, which includes a 20% 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.

FY 2018 Measure M Street Rehabilitation



Street	From	To
Cornell	Hopkins	Virginia
Folger	West End	Hollis
Henry	Cedar	Rose
Hilgard	La Vereda	East End
Jones	Eastshore Highway	2 <sup>nd</sup>
Jones	4 <sup>th</sup>	6 <sup>th</sup>
Josephine	Hopkins	The Alameda
Modoc	Marin	Solano
Murray	7 <sup>th</sup>	San Pablo
Page	Railroad tracks (3 <sup>rd</sup> )	4 <sup>th</sup>
Poe	Bonar	East End
Prince	Tremont	Telegraph
Rugby	N. City Limit	Vermont
Vermont	Maryland	End Above Rugby



City of Berkeley  
Abstract of Bid Worksheet

Finance Department  
General Services Division

FOR: *Mearns St Street Improvement* Spec. # *18-11199-0* Bid Date:

	Bidders	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO	Bid Bond	Addenda
1	<i>Gallagher &amp; Buckwalter</i>	<i>5,211,924.00</i>	/	<i>0%</i>	/		/	/	/
2	<i>Victor's to go Printing &amp; Graphics</i>	<i>3,631,181.50</i>	/		/		/	/	/
3	<i>McK Services Inc.</i>	<i>3,269,912.75</i>	/		/		/	/	/
4	<i>McGuire Hester</i>	<i>4,598,630.00</i>	/		/		/	/	/
5									
6									
7									
8									
9									
10									

Bid Recorder: *Spencer* *11/08/18*  
 Bid Opener: *Sh* *11/8/18*  
 Project Manager: *Shirley* *11/8/18*