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Title: Action on Award of Contract for the Lick Mill-East River Parkway Crosswalk Improvement Project (CE 19-20-02) [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

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Attachments: 1. Bid Summary

Date	Ver.	Action By	Action	Result
9/29/2020	1	City Council and Authorities Concurrent	Approved	Pass

REPORT TO COUNCIL

SUBJECT

Action on Award of Contract for the Lick Mill-East River Parkway Crosswalk Improvement Project (CE 19-20-02) [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

BACKGROUND

On May 21, 2019, City Council approved the installation of a High Intensity Activated Crosswalk Beacon (HAWK) on Lick Mill Boulevard at East River Parkway (Project) based on a request by members of the public and a subsequent traffic operations study. Based on the study results, City staff issued a request for proposal to design the Project and a Design Professional Agreement with W-Trans, Inc. was approved in September 2019. The scope of work for the agreement includes preliminary engineering, detailed design, bidding and award support, and construction support for installation of a HAWK and accessible curb ramps at the intersection.

DISCUSSION

On July 15, 2020, bids for construction of the Project were opened using video conference. Four bids were received ranging from \$481,830 to \$582,480. The Bid Summary is included as Attachment No. 1.

The lowest bid submitted by Ray's Electric in the amount of \$481,830 was reviewed by DPW staff and the City Attorney's Office for compliance with the Project bid documents. The bid was deemed non-responsive for not meeting the bid document requirements for Interstate Experience Modification Rate (EMR). The EMR is used to understand companies' past cost of injuries and future chances of risk. A company can reduce its EMR through eliminating or reducing injuries which is typically done by following local, state, and federal safety guidelines and implementing an effective safety program. The bid document indicates an average rating in excess of 1.0 or a rating in excess of 1.25 for a single year will constitute for grounds for disqualification as non-responsive. Ray's Electric listed its Interstate Experience Modification Rate for 2019 as 1.37, 2018 as 1.47, and 2017 as 1.23, which

exceeded the required rating.

The second lowest bid was submitted by Golden Bay Construction (GBC) in the amount of \$515,961, which is 9.2 percent below the Engineer's Estimate of \$568,252. GBC's bid was reviewed for compliance with the terms and conditions of the bid documents and has been determined to be the lowest responsive and responsible bid. Staff recommends awarding the contract to Golden Bay Construction, Inc.

Award of contract will enable construction of the project to begin in Fall 2020, with substantial completion anticipated by Fall 2021. These dates are subject to change based on the latest issues related to the COVID-19 situation. The contract includes prevailing wage requirements.

ENVIRONMENTAL REVIEW

This project being considered is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301(c), "Existing Facilities," as the activity consists of the minor alteration of an existing street.

Other eligible improvements under this exemption include minor improvements to highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes.

FISCAL IMPACT

The cost of the construction contract is \$515,961 plus approximately 10 percent contingency, or \$51,600, for any potential change orders for a total not-to-exceed contract amount of \$567,561. Funding for construction is available in the project budget.

COORDINATION

This report has been coordinated with the Finance Department and City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

1. Award the Public Works Contract for the Lick Mill-East River Parkway Crosswalk Improvement Project (CE 19-20-02) to the lowest responsive and responsible bidder, Golden Bay Construction, Inc. in the amount of \$515,961 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 10 percent of the original contract price, or \$51,600, for a total not to exceed amount of \$567,561.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Bid Summary