



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

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2 **Meeting Date: June 23, 2021**
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TOWN OF MORAGA

STAFF REPORT

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7 **To:** Honorable Mayor and Councilmembers
8
9 **From:** Shawn Knapp, Public Works Director / Town Engineer
10 Sharon Chan, Assistant Engineer
11
12 **Subject:** Consider Resolution ____ - 2021 Awarding a Construction Contract to
13 Bear Construction, Inc. (Hayward, CA) for the 2021 Street Repair
14 Project (Phase I) in the Amount of \$299,669 and Authorizing the Town
15 Manager to Execute the Construction Contract and Contract Change
16 Orders for up to \$29,967 (10% of the Contract Amount) for a Total
17 Amount Not to Exceed \$329,636 (*Status: CEQA Exempt*)
18

Background

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

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

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

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

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

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

Discussion

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

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

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

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:

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

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28 Funding for the \$83,219 (\$75,654 construction, \$7,565 contingency) construction cost of
29 a portion of the Annual Street Repairs Project (CIP 21-405) is included in the Proposed
30 FY 2021/22 Budget, which includes \$230,000 in funding from Fund 212 Garbage Vehicle
31 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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2 **Report reviewed by:** **Cynthia Battenberg, Town Manager**
3 **Denise Bazzano, Assistant Town Attorney**
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5 **Attachments:**

6 **A.** Resolution ____ - 2021 Awarding a Construction Contract to Bear Construction, Inc.
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8 Authorizing the Town Manager to Execute the Construction Contract and Contract
9 Change Orders for up to \$29,967 (10% of the Contract Amount) for a Total Amount
10 Not to Exceed \$329,636 (Status: CEQA Exempt)
11 **B.** Bid Tabulations