

## AGENDA REPORT

**Resolution:** Authorize the Executive Director to Enter into a Contract with VSS International Inc. in the amount of \$281,120, and Delegate Authority to Approve Plans and Project Manual to the Director of Engineering for the Middle Harbor Road Pavement Improvements (Slurry Seal) Project. **(Engineering)**

**MEETING DATE:** 3/22/2018

**AMOUNT:** \$281,120 Contract Authority

**PARTIES INVOLVED:** VSS International Inc.  
West Sacramento, CA  
Jeff Roberts

**SUBMITTED BY:** Chris Chan, Director of Engineering

**APPROVED BY:** J. Christopher Lytle, Executive Director

**ACTION TYPE:** Resolution

### **EXECUTIVE SUMMARY**

Staff is requesting a Resolution to authorize the Executive Director to enter into a contract with VSS International, Inc. in the amount of \$281,120, and delegate authority to approve Plans and Project Manual to the Director of Engineering.

### **BACKGROUND**

On June 22, 2017, by Resolution 17-49, the Board adopted the Fiscal Year 18 Operating Budget which allocated monies for the Major Maintenance Program. Port Staff had identified the Middle Harbor Road Pavement Improvements (Slurry Seal) Project (referred herein as the "Project") as part of the Port's Major Maintenance Program. The Plans and Project Manual for the Middle Harbor Road Pavement Improvements (Slurry Seal) Project (referred herein as the "Project") have been completed and the project was advertised on February 12, 2018. Bids for the Project were opened publicly on March 6, 2018.

### **ANALYSIS**

The Project is part of the normal periodic maintenance required to maintain Middle Harbor Road and a portion of Maritime Street. The work is estimated to take two (2) months to complete. The scope of work includes installation of crack seal, slurry seal, and striping.

On March 6, 2018, Port received four (4) bids for the Project from the following bidders:

<b>Contractor</b>	<b>Bid Amount</b>	<b>Location</b>
VSS International, Inc.	\$281,120.00	West Sacramento, CA
Pavement Coatings Co.	\$324,500.00	Woodland, CA
Bond Blacktop, Inc.	\$358,800.00	Union City, CA
Ray's Electric	\$618,386.00	Oakland, CA

VSS International, Inc. was determined to be lowest, responsive, and responsible bidder.

### **BUDGET & STAFFING**

The requested major maintenance expenditure is an operating expense item, budgeted in the Port's FY2018 Operating Budget. This request is for contractual authority to implement the Work.

The proposed action does not have any staffing impact.

### **MARITIME AVIATION PROJECT LABOR AGREEMENT ("MAPLA")**

This contract is for Major Maintenance and is not part of the Port's Capital Improvement Program (CIP) and therefore the provisions of the MAPLA do not apply to this work.

### **STRATEGIC PLAN**

The action described herein would help the Port achieve the following goals and objectives in the Port's Strategic Plan (<http://www.portofoakland.com/pdf/about/strategicPlan2011-2015.pdf>)

- Goal A: Objective 1: Maximize the use of existing assets.
- Goal B: Objective 1: Retain existing customers and tenants.

### **LIVING WAGE**

Living wage requirements, in accordance with the Port's Rules and Regulations for the Implementation and Enforcement of the Port of Oakland Living Wage Requirements (the "Living Wage Regulations"), do not apply because the contract is a construction contract covered by state prevailing wage rules and the prevailing rate of wage is higher than the wage required by the Living Wage Regulations.

### **ENVIRONMENTAL**

CEQA Determination: This action was reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA) and the Port CEQA Guidelines. The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA applies only to activities that have a potential for causing a significant effect on the environment. Port staff conducted an environmental analysis on the road maintenance work described above and determined that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; therefore the activity is not subject to CEQA.

## **GENERAL PLAN**

This project involves maintenance of existing facilities being used in conformance with the Oakland General Plan, pursuant to Section 727 of the City of Oakland Charter, and will not change the use of any facility(ies).

## **OWNER-CONTROLLED INSURANCE PROGRAM (OCIP)**

This project is not subject to the Port's Owner Controlled Insurance Program (OCIP) as it is not a capital improvement construction project.

## **OPTIONS**

Staff has identified the following options for the Board's consideration:

1. Approve the actions as outlined in this agenda report. This is the recommended action.
2. Delay the maintenance of Middle Harbor Road and Maritime Street; do not authorize the Director of Engineering to approve the Plans and Project Manual; do not authorize the Executive Director to award the contract for Middle Harbor Road Pavement Improvements; authorize the Executive Director to reject all bids and return all bid securities. This action may result in further degradation to the Port's roads.

## **RECOMMENDATION**

Staff recommends that the Board adopt a resolution to:

1. Delegate the authority to approve the Plans and Project Manual to the Director of Engineering; and
2. Authorize the Executive Director to award a contract to VSS International Inc. in the amount of \$281,120 for the Middle Harbor Road Pavement Improvements (Slurry Seal) Project;