

## AGENDA REPORT

**Resolution:** Approve Project Budget of \$1,200,000; Delegate Authority to Approve Plans and Project Manual to the Director of Engineering; and Authorize the Executive Director to Enter into a Contract with O.C. Jones & Sons, Inc. in the amount of \$866,100 for the Embarcadero Road Rehabilitation Project. **(Engineering)**

**MEETING DATE:** 5/24/2018

**AMOUNT:** \$866,100 Contract Authority  
\$1,200,000 Capital Expenditure

**PARTIES INVOLVED:** O.C. Jones & Sons, Inc.  
Oakland, CA  
Rob Layne, President & CEO

**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 approve a Project Budget of \$1,200,000; delegate authority to approve Plans and Project Manual to the Director of Engineering and authorize the Executive Director to enter into a contract with O.C. Jones & Sons, Inc. in the amount of \$866,100.

### **BACKGROUND**

Sections of Embarcadero Road between 10<sup>th</sup> Avenue and 16<sup>th</sup> Avenue and between Dennison and Kennedy are on Port property and are not dedicated as a public street. As a result, these sections remain the responsibility of the Port to maintain. This section of roadway was last reconstructed in early 2002/2003 with a bicycle lane. The Port has performed routine maintenance on the pavement to extend its life, but the pavement is now worn and is in need of rehabilitation.

Port staff has been working with the City of Oakland to develop a plan for repaving and restriping the street. The Plans and Project Manual for the Embarcadero Road Rehabilitation Project (referred herein as the "Project") have been completed and the project was advertised on March 19, 2018. Bids for the Project were opened publicly on April 9, 2018.

## **ANALYSIS**

The Project's scope of work includes grinding and paving 3 inches of asphalt concrete, full depth pavement replacement in selected areas, and striping. The Project will remove deleterious cracking and rutting from the roadway surface and is expected to benefit several of the Port's tenants. New striping patterns, which have been developed jointly with the City of Oakland, will improve bicycle and pedestrian access in the area. The work is estimated to take two (2) months to complete.

On April 9, 2018, Port received three (3) bids for the Project from the following bidders:

<b>Contractor (Bidder)</b>	<b>Location</b>	<b>Bid Amount</b>	<b>Certified LIA/LBA</b>
O.C. Jones & Sons, Inc.	Oakland, CA	\$ 866,100	LIA
Oliver De Silva Inc., dba Gallagher & Burk Inc.	Oakland, CA	\$ 877,000	LIA
D-Line Constructors, Inc.	Oakland, CA	\$ 1,100,363	LBA

Staff determined that O.C. Jones & Sons, Inc. is the lowest, responsive, and responsible bidder. Staff also determined that O.C. Jones & Sons, Inc. is responsive and responsible because they are appropriately licensed and are in good standing with the Contractors State License Board, their bid demonstrates that they can perform the work as specified in the contract documents, they have submitted all required documentation, and they have submitted an unconditional offer to provide the work as specified in the contract documents.

## **BUDGET & STAFFING**

The requested capital expenditure was included in the Port's current 5-Year Capital Improvement Plan (CIP) and projected to be funded with Port cash. This request is for \$1.2 million project budget authority, including change order contingencies, as detailed in Table 1 below.

Table 1. Project Budget by Phase

<b>Description</b>	<b>Port Labor &amp; Misc Cost<sup>1</sup></b>	<b>Construction and Related Costs<sup>2</sup></b>	<b>Total</b>
Design Budget	\$50,000	\$0	\$50,000
Construction Budget	\$50,000	\$1,100,000	\$1,150,000
Total Project Budget	\$100,000	\$1,100,000	\$1,200,000

1. These costs include staff costs, outside legal costs, utility costs, and other third party costs.
2. The estimated construction cost includes bid award, change order authority, permitting, MAPLA, and OCIP costs.

The proposed action does not have any staffing impact.

### **MARITIME AVIATION PROJECT LABOR AGREEMENT (“MAPLA”)**

The provisions of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) 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 Business Plan 2018-2022.

<https://www.portofoakland.com/wp-content/uploads/Port-of-Oakland-Strategic-Plan.pdf>

- Goal: Improve Customer Service
- Goal: Modernize and Maintain Infrastructure

### **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.

### **SUSTAINABILITY**

Port staff completed the Sustainability Opportunities Assessment Form for this project pursuant to the 2000 Sustainability Policy and updated procedures. The Project will generate approximately 4,500 CY of asphalt grindings, all of which will be taken to a recycling facility.

### **ENVIRONMENTAL**

This action was reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA). The Port has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15301, Existing Facilities. Section 15301 exempts from CEQA the repair, maintenance, and minor alteration of existing structures and facilities, including existing streets and bike trails, that involve negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

## **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)**

As the construction project is a capital improvement project, the applicable Owner Controlled Insurance Program (OCIP) coverages and provisions apply to the construction phase.

## **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 rehabilitation of Embarcadero Road; 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 Embarcadero Road Rehabilitation; 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 and result in occasional interruption to the Port's tenants.

## **RECOMMENDATION**

Staff recommends that the Board adopt a resolution to:

1. Approve Project Budget in the Amount of \$1,200,000.
2. Delegate the authority to approve the Plans and Project Manual to the Director of Engineering; and
3. Authorize the Executive Director to award a contract to O.C. Jones & Sons, Inc. in the amount of \$866,100 for the Embarcadero Road Rehabilitation Project.