

## AGENDA REPORT

**Resolution:** For the 800 Series Building Pavement Reconstruction Project: (i) Approve a Project Budget in an Amount Not-To-Exceed \$1,220,000.00; (ii) Authorize the Executive Director to Enter Into a Contract with O.C. Jones & Sons, Inc. in an Amount Not-To-Exceed \$675,930.00; and (iv) Authorize the Executive Director to Execute Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$ 135,000.00.  
**(Engineering/Maritime)**

**MEETING DATE:** 10/24/2019

**AMOUNT:** \$1,220,000.00 Budget  
\$ 810,930,000 Contract Authority  
Capital Expenditure

**PARTIES INVOLVED:** O.C. Jones and Sons Inc.  
Greg Souder

**SUBMITTED BY:** Robert Andrews,  
Acting Director of Engineering/Chief Engineer  
John C. Driscoll, Director of Maritime

**APPROVED BY:** Danny Wan, Interim Executive Director

**ACTION TYPE:** Resolution

### **EXECUTIVE SUMMARY**

Staff is requesting the following approvals for the 800 Series Building Pavement Reconstruction Project: (i) approval of a project budget in an amount not-to-exceed \$1,220,000.00; (ii) authorization for the Executive Director to enter into a contract with O.C. Jones & Sons Inc. in an amount not-to-exceed \$ 675,930.00; and (iii) authorization for the Executive Director to execute contract change orders to the extent necessary in an amount not-to-exceed \$135,000.00. This project will restore approximately 3 acres of asphalt pavement around the 800 Series Buildings at the former Oakland Army Base.

### **BACKGROUND**

The 800 Series Building pavement area that serves Impact Transportation and PCC Logistics (together, the "Tenants") is past its design life and has developed alligator/block cracking, potholes, and is rutted throughout due to the heavy use. The pavement deterioration has caused severe water ponding and drainage issues. This condition has caused the Tenant's operations to cease or be limited in these areas. The Port of Oakland ("Port") is responsible for maintaining the asphalt in a usable condition for tenant operations.

To initiate efforts towards addressing the pavement deficiencies noted above, the Board Approved Resolution 18-73 on July 26<sup>th</sup>, 2018 which authorized \$150,000 to be used for the design phase of the 800 Series Building Pavement Reconstruction Project. The design phase is now complete and Staff is returning to the Board to seek contract award and budget for construction.

**ANALYSIS**

The Plans and Project Manual for the 800 Series Building Pavement Reconstruction Project is complete. Staff solicited bids through a formal Public Works construction bidding process. A pre-bid meeting was held on September 4, 2019.

On September 23, 2019 Staff received four (4) bids. The bids are listed in Table 1 below.

Table 1. 800 Series Building Pavement Reconstruction Project Bid Summary

<b>Bidder</b>	<b>Location</b>	<b>Total Bid Price (Low to High)</b>
O.C. Jones & Sons, Inc.	Oakland, CA	\$675,930.00
A. Teichert & Son, Inc. dba Teichert Construction	Pleasanton, CA	\$689,875.00
Oliver De Silva Inc. dba Gallagher & Burk Inc.	Oakland, CA	\$700,470.00
Tri-Valley Excavating Co. Inc.	Sunol, CA	\$771,883.00

Staff determined that O.C. Jones & Sons Inc. is the lowest responsive, responsible bidder and recommends awarding the 800 Series Building Pavement Reconstruction Project to O.C. Jones & Sons Inc. in an amount not-to-exceed \$675,930.00. O.C. Jones & Sons Inc. is appropriately licensed and experienced to perform the work. They have performed similar work throughout the Seaport. The work includes restoring approximately 3 acres of pavement around the 800 Series Building at the former Oakland Army Base (“OAB”). The work is estimated take approximately six months to complete once started. The pavement, will have a design life of 5 years, depending on the severity of usage.

In addition, Staff is requesting authorization for the Executive Director to execute change orders to the extent necessary in an amount not-to-exceed \$135,000.00. This change order amount is typical for work within the OAB limits where there is high potential for unforeseen conditions, such as contaminated soil and buried obstructions.

## **BUDGET & STAFFING**

The Fiscal Year 2019-2020 Capital Improvement Plan includes the 800 Series Building Pavement Reconstruction project. Staff is seeking Board approval of a total project budget in an amount not-to-exceed \$1,220,000.00. Please refer to Table 2 below.

Table 2. OAB 800 Building Series Pavement Reconstruction Project Budget

	<b>Design Phase</b>	<b>Construction Phase</b>	<b>Total Proposed Project Budget</b>
Consultant <sup>1</sup>	\$100,000	\$100,000	\$ 200,000 <sup>4</sup>
Construction Award <sup>2</sup>	n/a	\$675,930	\$ 675,930
Construction Contingency	n/a	\$135,000	\$ 135,000
Port Labor	\$50,000	\$100,000	\$ 150,000 <sup>4</sup>
Other Related Costs <sup>3</sup>	n/a	\$ 59,070	\$ 59,070 <sup>4</sup>
Totals	\$150,000	\$1,070,000	\$ 1,220,000

<sup>1</sup> Consultant Costs include Construction Management Services, Design Services during Construction, Materials Testing, and Special Testing.

<sup>2</sup> Contractor's bid amount.

<sup>3</sup> Other Costs include permitting, MAPLA, agency coordination, and OCIP.

<sup>4</sup> Staff may exceed the individual category cost of Port Labor, Consultants and Other Related Costs if: i) the effort is needed, and ii) the sum of these three category costs does not exceed the sum of these three category costs as shown in the Table.

There is no anticipated impact to staffing.

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

The provisions of the Port of Oakland Maritime and Aviation Project Labor Agreement (MAPLA) applies to this work as the work is a Capital Improvement Project.

## **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 rules and the construction prevailing rate of wage is higher than the wage required by the Living Wage Regulations.

## **SUSTAINABILITY**

Port Staff reviewed the Port’s 2000 Sustainability Policy and did not complete the Sustainability Opportunities Assessment Form. Port Staff concluded that there are no sustainability opportunities associated with the Design and Construction of Capital Improvements for Oakland Army Base – 800 Series Buildings Pavement Reconstruction.

## **ENVIRONMENTAL**

CEQA Determination: The Port has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15301, Existing Facilities. CEQA does not apply to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of existing or former use.

## **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 outlined in this Agenda Report. This is the recommended option.
2. Do not approve the actions outlined in this agenda report. Reject all bids and direct staff to change the scope of the project and rebid the project. This will delay the work and may result in higher costs if the project is started at a later date due to continuing deterioration of the pavement. This delay may also negatively affect tenant operations.

## **RECOMMENDATION**

Staff recommends that the Board adopt a resolution for the following:

- 1) Approve a Project Budget in an Amount Not-To-Exceed \$1,220,000.00;
- 2) Authorize the Executive Director to Enter Into a Contract with O.C. Jones & Sons, Inc. in an Amount Not-To-Exceed \$675,930.00; and
- 3) Authorize the Executive Director to Execute Change Orders to the Extent Necessary in an Amount Not-to-Exceed \$135,000.00.