

## SUPPLEMENTAL AGENDA REPORT

**Resolution:** Authorize the Executive Director to Enter into a Contract with ~~{To Be Determined}~~ McGuire and Hester in an Amount Not-To-Exceed ~~{To Be Determined}~~ \$1,063,540 For the Berth 57, 58, 59 Sanitary Sewer Lift Station Rehabilitation Project and Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not-to-Exceed ~~{To Be Determined}~~ \$160,000.  
**(Engineering/Maritime)**

**MEETING DATE:** 12/17/2020

**AMOUNT:** ~~{To Be Determined}~~ \$1,223,540 Capital Expenditure (Part of a ~~{To Be Determined}~~ \$1,604,040 Construction Budget and Total Project Budget of ~~{To Be Determined}~~ \$1,939,540)

**PARTIES INVOLVED:** ~~{To Be Determined}~~ McGuire and Hester  
Michael R. Hester, President  
Oakland, CA 94603

**SUBMITTED BY:** Kristi McKenney, Chief Operating Officer  
Bryan Brandes, Director of Maritime

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

**ACTION TYPE:** Resolution

### **EXECUTIVE SUMMARY**

Staff is requesting authorization for the Executive Director to enter into a contract with ~~{To Be Determined (TBD)}~~ McGuire and Hester in an amount not-to-exceed ~~{TBD}~~ \$1,063,540 for the Berth 57, 58, 59 Sanitary Sewer Lift Station Rehabilitation Project (Project) and authorization for the Executive Director to execute contract change orders to the extent necessary in an amount not-to-exceed ~~{TBD}~~ \$160,000. The Project will rehabilitate three lift stations. This includes lift station D01P at Berth 59, D02P at Berth 58, and D03P at Berth 57. The total duration of the project is estimated to be five (5) months.

### **BACKGROUND**

The State Water Resources Control Board Water Quality Order No. 2006-0003 directs sanitary system owners to develop sewer system management plans. This includes managing and maintaining sanitary sewer collection systems to minimize sewer system overflow (SSO) incidents. On February 09, 2010 East Bay Municipal Utility District (EBMUD) adopted a Regional Private Sewer Lateral Ordinance. The EBMUD Ordinance

requires owners of sanitary sewer systems that connect to EBMUD’s collection system to inspect and repair private sewer piping to reduce infiltration and inflow (I/I) from rainwater and groundwater. The Port of Oakland (Port) is considered an owner as defined in the EBMUD Ordinance.

On May 10, 2018 the Board of Commissioners (“Board”) adopted Port Ordinance No. 4474, Port Private Sewer Lateral Ordinance which directs Port Staff to prepare plans to assess and repair Port-owned sewer systems. The Port of Oakland Sanitary Sewer Condition Assessment Plan (CAP) outlines the methodology and a schedule for performing a condition assessment of Port maintained sanitary sewer systems over a period of years through 2024. As part of advancing the Port’s Asset Management Program, Staff has greatly accelerated the CAP completing the assessment for approximately 90% of the Port’s system over the summer and fall of 2020.

Specific to this Project, the CAP identified and included three lift stations for rehabilitation at the Berth 57-59 property. This includes lift stations D01P at Berth 59, D02P at Berth 58, and D03P at Berth 57 (Exhibit A). These lift stations are at the end of their service life and require rehabilitation to increase the serviceability and reliability of the Port’s wastewater infrastructure for current Port tenants and future development.

**ANALYSIS**

This Project includes rehabilitation of lift stations D01P at Berth 59, D02P at Berth 58, and D03P at Berth 57. Rehabilitation will be accomplished with a combination of cleaning, recoating the manholes/wells, upgrading pumps and pipes, installing a hatch/cover, and adding electronics for overflow prevention.

The Project plans and specifications are now complete. Staff solicited bids through the formal public works process. A pre-bid meeting was held via teleconference on November 16, 2020. On December 4, 2020, ~~{TBD}~~ five bids were received. The bids are listed in Table 1.

Table 1  
Berth 57, 58, 59 Sanitary Sewer Lift Station  
Rehabilitation Project Bid Summary

<b>Bidder</b>	<b>Location</b>	<b>Total Bid Price (Low to High)</b>	<b>Certified LIA/LBA/SBE/VSBE</b>
<u>{All data in Table 1 TBD}</u> <u>McGuire and Hester</u>	<u>Oakland, CA</u>	<u>\$1,063,540</u>	<u>LIA</u>
<u>Blocka Construction Inc.</u>	<u>Pleasanton, CA</u>	<u>\$ 1,176,800</u>	<u>(see note 1)</u>

<u>Bay Construction Co.</u>	<u>Oakland, CA</u>	<u>\$ 1,308,500</u>	<u>(see note 1)</u>
<u>Beliveau Engineering Contractors Inc.</u>	<u>Oakland, CA</u>	<u>\$ 1,308,500</u>	<u>(see note 1)</u>
<u>VALENTINE CORPORATION</u>	<u>San Rafael, CA</u>	<u>\$ 1,309,369</u>	<u>(see note 1)</u>

(Note 1: not evaluated since bid is more than 10% of the apparent low bid)

The bids were evaluated in accordance with the Port's Non-Discrimination, Small and Local Business Utilization Policy and [TBD] McGuire and Hester was determined to be the lowest responsive, responsible bidder. [TBD] McGuire and Hester is appropriately licensed and experienced to perform the work. Therefore, Staff recommends authorization for the Executive Director to award a contract for the Berth 57, 58, 59 Sanitary Sewer Lift Station Rehabilitation Project to [TBD] McGuire and Hester in the amount not-to-exceed [\$[TBD] \$1,063,540]. Additionally, Staff recommends authorization for the Executive Director to execute contract change orders in an amount not-to-exceed [\$[TBD] \$160,000] for construction contingency. The work is estimated to take approximately five months to complete.

### **BUDGET & STAFFING**

~~This total Project Budget is within approved Five-year CIP Budget. There is no anticipated impact to the budget.~~

This Project is approved for \$1,500,000 in the Fiscal Year (FY) 2021 Capital budget. The balance of the funds needed for the Total Project Budget will be requested in the FY 2022 budget. There is no anticipated impact to the approved FY2021 budget.

The total Project budget is as follows:

Table 2. Total Project Budget Summary

	<b>Planning/Design Phase (Spent do Date, <u>rounded</u>)</b>	<b>Construction Phase</b>	<b>Total Proposed Project Budget<sup>2</sup></b>
Consultant <sup>1</sup>	<u>\$ 148,869.27</u> <u>\$149,000</u>	<u>\$ 55,469.57</u> <u>\$55,500</u>	<u>\$ 204,338.84</u> <u>\$204,500</u>
Construction Award <sup>3</sup>	n/a	<u>TBD</u> <u>\$1,063,540</u>	<u>TBD</u> <u>\$1,063,540</u>
Construction Contingency (15%)	n/a	<u>TBD</u> <u>\$160,000</u>	<u>TBD</u> <u>\$160,000</u>
Port Labor	<u>\$ 183,987.70</u> <u>\$184,000</u>	\$ 250,000.00	<u>\$ 433,987.70</u> <u>\$434,000</u>
Other Related Costs <sup>4</sup>	<u>\$ 2,562.99</u> <u>\$2,500</u>	\$ 75,000.00	<u>\$ 77,562.99</u> <u>\$77,500</u>
<b>Totals</b>	<b><u>\$ 335,419.96</u></b> <b><u>\$335,500</u></b>	<b><u>TBD</u></b> <b><u>\$1,604,040</u></b>	<b><u>TBD</u></b> <b><u>\$1,939,540</u></b>

<sup>1</sup> Consultant costs, including inspection services

<sup>2</sup> Staff may exceed the individual category cost of Consultants and Other Related Costs if: i) the effort is needed; and ii) the total spent on these items do not exceed the sum of these two category costs as shown in the Table.

<sup>3</sup> Contractor's bid amount.

<sup>4</sup> Other Costs include permitting, [MAPLA](#), OCIP, outside legal costs.

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) 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: Modernize and Maintain Infrastructure*
- *Goal: Improve Customer Service*
- *Goal: Strengthen Safety and Security*

## **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.

## **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 Construction of the Berth 57, 58, 59 Sanitary Sewer Lift Station Rehabilitation Project.

## **ENVIRONMENTAL**

California CEQA Determination: The Port has determined that the proposed project is categorically exempt from the California Environmental Quality Act ("CEQA") Guidelines pursuant to Section 15301, Existing Facilities, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment or topographic 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**

The following are options for the Board's consideration:

- 1) Approve the actions as 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.

## **RECOMMENDATION**

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

- 1) Authorize the Executive Director to Enter Into a Contract with [TBD] McGuire and Hester in an Amount Not-To-Exceed [\$[TBD] \$1,063,540] for the Berth 57, 58, 59 Sanitary Sewer Lift Station Rehabilitation Project; and
- 2) Authorize the Executive Director to Execute Contract Change Orders to the Extent Necessary in an Amount Not-to-Exceed [\$[TBD] \$160,000] for the Berth 57, 58, 59 Sanitary Sewer Lift Station Rehabilitation Project.

Exhibit A  
Project Area

