

AMENDED

RESOLUTION NO. 2023- _____

A RESOLUTION APPROVING THE DESIGN OF THE 2022-23 STREET REHABILITATION PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT FOR THE 2022-23 STREET REHABILITATION PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR MATERIAL TESTING SERVICES WITH TWINING, INC. IN AN AMOUNT NOT TO EXCEED \$80,000; TRANSFER THE BUDGET IN THE AMOUNT OF \$1,190,000 FROM THE 2023-24 STREET REHABILITATION PROJECT TO THE 2022-23 STREET REHABILITATION PROJECT ; AND DETERMINING THE PROJECT IS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City's Capital Improvement Program (CIP) includes the Pavement Management Program (PMP) to repair and apply preventative maintenance treatment to local, collector, and arterial streets; and

WHEREAS, as part of the PMP, the condition of City streets is routinely assessed, and recommendations are made on the streets to be selected for rehabilitation to cost effectively maximize pavement longevity; and

WHEREAS, the 2022-23 Street Rehabilitation Project is a rehabilitation project that will repair portions of existing pavement and prevent rapid deterioration to maximize pavement longevity at various locations and install accessible curb ramps within project limits; and

WHEREAS, On November 8, 2022, City Council adopted a resolution authorizing the City Manager to execute an agreement with Bellecci & Associates for the design services of the 2022-23 Street Rehabilitation. Bellecci & Associates completed the final design in early August 2023; and

WHEREAS, the 2022-23 Street Rehabilitation Project design ("the design"), which consists of plans and specifications that are on file with the Public Works Department, was completed in August 2023; and

WHEREAS, in August 2023, the City issued a notice inviting bids for the construction of the 2022-23 Street Rehabilitation Project; and

WHEREAS, notice to bidders was sent to contractors listed in the City's contractor directory, posted on the City's website, provided to construction distribution centers, and advertised twice in the San Mateo County Times newspaper; and

WHEREAS, on August 25, 2023, staff conducted the bid opening for the project and received five bids; and

WHEREAS, The lowest bid was submitted by Interstate Grading and Paving, Inc. (IGP); and

WHEREAS, The City's Statement of Qualification Specification Section 00 45 13 states that Bidder with a rating in excess of 1.00 may constitute grounds for disqualification; however, Bidder may provide additional information to explain a rating above 1.00; and

WHEREAS, Staff reviewed additional information regarding IGP's EMR rating, has scheduled a hearing with IGP for a determination for nonresponsibility, and will provide City Council with an update of determination of nonresponsibility; and

WHEREAS, staff recommends awarding the base bid with all additives to the lowest responsible and responsive bidder; and

~~**WHEREAS**, to expedite the award and start of construction, staff is presenting two options for award depending on the outcome of the hearing; and~~

WHEREAS, The lowest bid was submitted by IGP in the amount of \$5,306,673.12, which is approximately \$1,040,658.88 lower or approximately 16% less than the engineer's estimate of \$6,347,332; and

WHEREAS, the second lowest bid was submitted by O'Grady Paving, Inc, in the amount of \$5,784,871.65, which is approximately \$562,000 lower or approximately 9% less than the engineer's estimate of \$6,347,332; and

WHEREAS, staff has reviewed the bid documents and has determined that O'Grady Paving, Inc. is a responsive and responsible bidder; and

WHEREAS, the 2022-23 Street Rehabilitation Project is a project within the approved FY 2022-23 Capital Improvement Program; and

WHEREAS, the estimated total cost of the project is \$7,877,362.40 and exceeds the total budget of \$6,700,000; and

WHEREAS, staff recommends transferring the remaining amount from the 2023-24 Street Rehabilitation Project which is within the approved FY 2023-24 Capital Improvement Program; and

WHEREAS, the estimated total project cost includes design and construction support services, staff management, construction management and inspection, construction materials testing and construction contingency.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

1. Approves the design of the 2022-23 Street Rehabilitation Project;
2. ~~[motion to include either (a) or (b)] (a) Authorizes the City Manager to execute a construction contract with O'Grady Paving, Inc. for the 2022-23 Street Rehabilitation Project in the Amount of \$5,784,871.65 and approves a construction contingency of \$867,730.75, and rejects the bid from ; or (b) Authorizes the City Manager to Execute a Construction Contract with Interstate Grading and Paving, Inc. for the 2022-23 Street Rehabilitation Project in the Amount of \$5,306,673.12 and approve a Construction Contingency of \$796,000.97];~~
3. Authorizes the City Manager to execute a contract for Material Testing Services with Twining, Inc in an Amount Not to Exceed \$80,000;
4. Transfer the budget in the amount \$1,190,000 from the 2023-24 Street Rehabilitation Project to the 2022-23 Street Rehabilitation Project; and
5. Determines that the Project is exempt under the California Environmental Quality Act

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I hereby certify that foregoing **Resolution No. 2023 - _____**
was introduced and adopted by the San Bruno City Council at a regular meeting on
September 12, 2023, by the following vote:

AYES:
NOES:
ABSENT:

Lupita Huerta, City Clerk