



COUNCIL AGENDA: 06-21-05

ITEM: 2.19

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen

SUBJECT: SNI BLK 09: BLACKFORD
STORM DRAIN
IMPROVEMENTS PROJECT

DATE: 05-31-05

Approved

Date 6/8/05

Council District: 1

SNI: Blackford

RECOMMENDATION

Report on bids and award of contract for the SNI BLK 09: Blackford Storm Drain Improvements Project to the sole bidder, Wattis Construction Co. Inc., in the amount of \$164,648, and approval of a contingency in the amount of \$8,000.

CEQA: Exempt, PP05-048.

BACKGROUND

In September 2002, stakeholders of the Blackford Strong Neighborhood Initiative (SNI) Area completed a neighborhood improvement plan that identified the need to improve storm drainage along a number of streets in the area. The plan was intended to remedy drainage deficiencies, particularly stagnant ponded water resulting from damaged curbs, gutters, and pavement. The neighborhood representatives focused on a residential area bounded by Interstate 280 on the north, Payne Avenue on the south, Saratoga Avenue on the west, and San Tomas Expressway on the east (map attached).

The neighborhood determined that the priority areas are Flora, Rosalia and Teale Avenues.

In December 2003, the Community Development Block Grant (CDBG) Committee approved a \$211,100 grant to fund the project. The project will remove and replace damaged curb and gutter, remove trees that have caused the damage or would continue to impede proper drainage in the absence of this project, and address health and safety concerns in the neighborhood by reducing ponded water in the streets.

The project consists of a base bid and one Add-Alternate bid. The base bid scope of work includes the removal and replacement of 2,500 feet of curb and gutter, and a short extension of

an existing storm sewer system. The scope of work of the add-alternate includes the removal of trees ranging from 12 to 36 inches in diameter.

Construction work is scheduled to begin in July and be substantially complete by August.

ANALYSIS

Bids were opened on May 17, 2005 with the following results:

<u>Contractor</u>	<u>Base Bid</u>	<u>Add Alt. No. 1</u>	<u>Total Bid</u>	<u>Variance Amount*</u>	<u>Over/ (Under) Percent</u>
Wattis Const. Co. Inc. (San José)	\$164,648	\$6,200	\$170,848	\$45,006	38
Engineer's Estimate	\$119,642	\$6,600	\$126,242	---	---

* Variance amount is the difference in base bids of the bidder and the Engineer's Estimate.

The sole base bid submitted by Wattis Construction Co., Inc. is 38 percent greater than the Engineer's Estimated base bid. An evaluation of the bid indicates higher unit costs for the following items: Clearing, Grubbing and Removal of Obstructions, and Installation of Curb and Gutter. These bid items total approximately \$50,000 greater than the Engineer's Estimate.

In addition to routine public outreach efforts, staff proactively informed numerous contractors of the upcoming bid. Nevertheless, only four contractors had purchased plans and specifications as of the date of the bid opening, and only Wattis Construction submitted a bid. When contacted after the bid opening, most contractors cited heavy workload as the reason for not bidding on this project.

Staff considers the bid submitted by Wattis Construction to be reasonable. Staff has identified approximately \$45,000 in supplemental funding from the Storm Sewer capital improvement program to support the total project delivery costs.

Only the base bid is recommended for award. Tree removal specified in Add-Alternate No. 1 will be separately funded and implemented by the Blackford NAC. Prior to construction, trees will be removed by NAC in coordination with the Department of Transportation (DOT). Per agreement with the City Arborist, these trees will be replaced with 15-gallon trees provided by the *City Forest* program at the direction of DOT. Tree replacement will be done after project completion.

Council Policy provides for a standard contingency of five percent on public works street and sidewalk projects. The standard contingency is appropriate for this project.

OUTCOME

Approval of this construction contract to Wattis Construction will enable the SNI BLK 09: Blackford Storm Drain Improvements Project to go forward. Approval of the five percent contingency will provide funding for unforeseen conditions during construction of this project.

PUBLIC OUTREACH

This project was listed on the City's Internet Bid Line and advertised in the *San José Post Record*. Bid packages for all public works construction projects are provided to various contractor organizations and builder's exchanges.

COORDINATION

This project and memorandum have been coordinated with the City Attorney's Office, City Manager's Budget Office and the Departments of Finance, Transportation, and Planning, Building and Code Enforcement.

In addition, this project was closely coordinated with the City Manager's Office Strong Neighborhood Action Committee and the San José Redevelopment Agency.

COST IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: \$164,648

2. COST OF PROJECT:

Project Delivery	\$ 79,100*
Construction	164,648
Contingency	8,000
TOTAL PROJECT COSTS	\$251,748

Prior Year Expenditures (0)

REMAINING PROJECT COSTS \$251,748

*Project delivery includes \$34,000 for Design Services and \$45,100 for Construction Management and Inspection Services.

3. SOURCE OF FUNDING: 441 - Community Development Block Grant Fund
413 - Storm Drainage Fee Fund

4. **FISCAL IMPACT:** This project is consistent with the Council-Approved Budget Strategy for Economic Recovery, as it will spur construction spending in the local economy. The proposed operating and maintenance costs of this project have been reviewed, and staff has determined that the project will have no significant adverse impact on the General Fund operating budget.

BUDGET REFERENCE

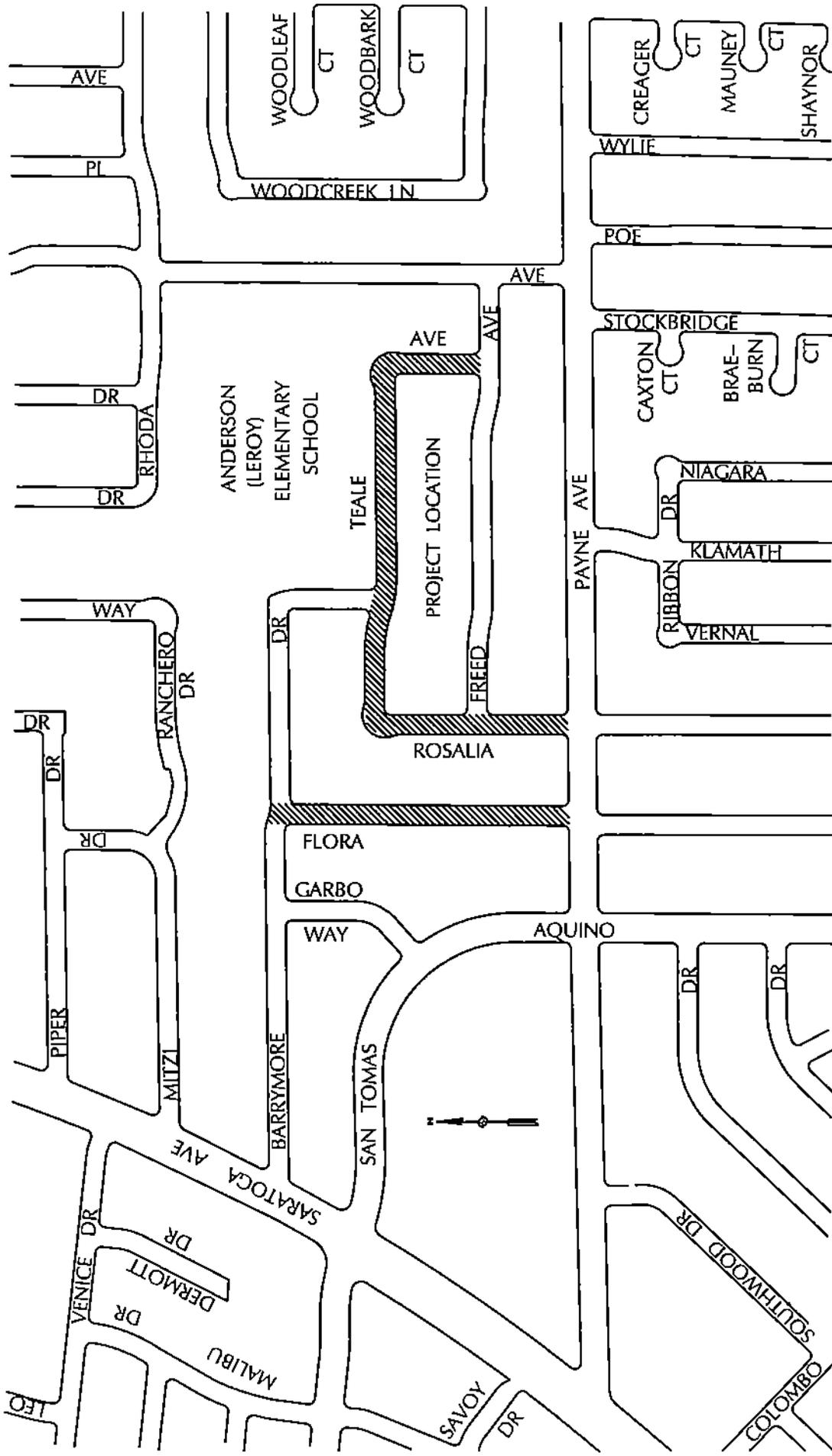
Fund #	Appn. #	Appn. Name	Total Appn.	Amt. for Contract	2004-2005 Adopted Budget (Page)	Last Budget Action (Date, Ord. No.)
Remaining Project Costs			\$251,748			
Current Funding Available						
441	4960	Blackford Storm Drain Improvements	\$211,100	\$120,000	Operating X-14	N/A
413	4272	Miscellaneous Projects	\$614,000	\$44,648	Capital V-219	10/12/04, Ord. No. 27267
Total Current Funding Available			\$825,100	\$164,648		

CEQA/NEPA

Exempt, File No. PP05-048; dated April 20, 2005.
Categorical Exclusion, File No. G67

Katy Allen
KATY ALLEN
Director, Public Works Department

SNI BLK 09: BLACKFORD STORM DRAIN IMPROVEMENTS PROJECT



LOCATION MAP
NOT TO SCALE

Categorical Exclusions § 58.35(a)(1)

CITY OF SAN JOSE, CALIFORNIA, HUD PROGRAM

ENVIRONMENTAL REVIEW COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

PROJECT TITLE: Blackford Storm Drain Improvements
NEPA REVIEW FILE #: G67
SPONSOR: REDEVELOPMENT AGENCY
PROJECT LOCATION: Flora, Rosalia, Teale, and Boynton Avenues
STREET ADDRESS: N/A - Public Rights of Way in Blackford Strong Neighborhood
APN: PROW
HUD DESCRIPTION: The project consists of the removal and replacement of damaged curb, gutter, adjacent pavement, and up to 7 street trees; the modification of park strips; the installation of up to 3 storm manholes, hooded inlets, storm lateral and main to provide positive drainage on street segments of Flora, Rosalia, Teale, and Boynton Avenues, outside of any FEMA-designated 100-year floodzones.
FUNDING AWARD: \$211,100.00

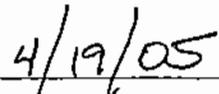
CERTIFICATION

Under the provisions of 24 CFR Part 58 - Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities - Section 58.35(b) as stated below, this project is found to be categorically excluded from the environmental review requirements of the National Environmental Policy Act of 1969, as amended.

58.35(a)(1): Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20% (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).

RESPONSIBLE ENTITY: Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement


Deputy


Date

ENVIRONMENTAL COORDINATOR: Teresa Estrada

STATEMENT OF EXEMPTION

FILE NO. PP05-048

LOCATION OF PROPERTY Flora Ave. between Barrymore Drive and Payne Aves.; Teale & Rosalia Aves. from Freed to Payne Aves; and Boynton Ave. between Waterbury and Bridgeport Courts.

PROJECT DESCRIPTION The removal and replacement of damaged curb, gutter, adjacent pavement, and up to 7 street trees; the modification of park strips; the installation of up to 3 storm manholes, hooded inlets, storm lateral and main to provide positive drainage on street segments of Flora, Rosalia, Teale, and Boynton Avenues, outside of any FEMA-designated 100-year floodzones.

ASSESSOR'S PARCEL NUMBER Public Right-of-Way

CERTIFICATION

Under the provisions of Section 15301(d) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Code, implementing the California Environmental Quality Act of 1970, as amended.

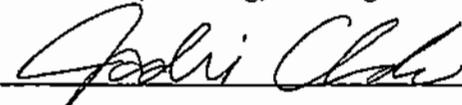
15301. Existing Facilities

Class 1 consists of 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 use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

- (d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

Date: 4/20/05


Deputy

Project Manager: Teresa Estrada