

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Katy Allen  
James R. Helmer  
Jennifer A. Maguire

**SUBJECT: SNI ST01: SEVEN TREES  
BOULEVARD SIDEWALK  
IMPROVEMENT PROJECT**

**DATE:** 07-20-09

Approved

Date 7/28/09

**COUNCIL DISTRICT:** 7  
**SNI AREA:** Seven Trees

## RECOMMENDATION

- a. Report on bids and take appropriate action based on the evaluation of bids for the SNI ST01: Seven Trees Boulevard Sidewalk Improvement Project from Senter Road to El Cajon Drive, and a standard contingency of five percent on roadway improvement projects.
- b. Adopt the following Appropriation Ordinance amendments in the Construction Excise Tax Fund:
  1. Establish an appropriation to the Department of Transportation for the Seven Trees Boulevard Sidewalk Project in the amount of \$560,000.
  2. Decrease the Reserve – Seven Trees Boulevard Sidewalk Project by \$560,000.

## OUTCOME

Approval of the construction contract to the apparent low bidder will enable the SNI ST01: Seven Trees Boulevard Sidewalk Improvement Project to proceed. Approval of a five percent contingency will provide funding for any unanticipated work necessary for the proper completion or construction of the project.

## BACKGROUND

The east side of Seven Trees Boulevard between El Cajon Drive and Senter Road is unimproved and would benefit from the installation of a sidewalk. This unimproved area collects trash, other debris, and ponding water during the rainy season that results in tripping hazards for pedestrians.

Since neighborhood residents use this corridor to walk to and from Seven Trees Elementary School, Seven Trees Branch Library and Louis Solari Park, this project will provide much improved access.

In 2006, Councilmember Madison Nguyen supported an action to update the Seven Trees Neighborhood Plan and align City of San José resources with the Seven Trees neighborhood goals and objectives.

On September 29, 2007, a Pilot Project survey of neighborhood residents and an updated Plan were presented to the community. The sidewalk improvement on the east side of Seven Trees Boulevard was identified as a top priority in the Seven Trees Neighborhood Plan.

### **ANALYSIS**

A supplemental memo will be provided after bids are opened on July 16, 2009. Council policy provides a standard contingency of five percent on public works street projects. The standard contingency is appropriate for this project.

Construction will begin in September with completion anticipated in December 2009.

### **EVALUATION AND FOLLOW UP**

This project is currently within budget and on schedule. No additional follow-up actions with the Council are expected at this time.

### **PUBLIC OUTREACH/INTEREST**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This project does not meet any of the minimum requirements as defined by Public Outreach criteria. This project was presented to the Seven Trees neighborhood community on three different occasions for their information and input (February 19, 2009, February 21, 2009 and May 19, 2009). On June 13, 2009, a ground breaking ceremony was held in the neighborhood.

Bids for this project were solicited on the City's Internet Bid Hotline and advertised in the *San Jose Post Record*. Bid packages for all Department of Public Works construction projects are provided to various contractor organizations and builder's exchanges.

**COORDINATION**

This project has been coordinated with the Council District 7 Office, the Departments of Planning, Building and Code Enforcement, Human Resources-Risk Management, and the City Attorney's Office.

**FISCAL/POLICY ALIGNMENT**

This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy.

**COST SUMMARY/IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION (Engineer's Estimate) \$330,000

Project Development	\$21,000
Project Delivery	225,600
Construction (Engineer's Estimate)	330,000
Contingency (5%)	16,400
DOT Staff Charges, Flashing Beacon Material Cost & Signage Cost	77,000

**TOTAL PROJECT COSTS** \$670,000

2. SOURCE OF FUNDING: 001 – General Fund  
465 – Construction Excise Tax Fund

3. COST ELEMENTS OF THE CONSTRUCTION CONTRACT:

4. OPERATING COSTS: This project is consistent with Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy. The proposed operating and maintenance costs of this project have been reviewed and it has been determined that the project will have no significant adverse impact on the General Fund Operating Budget.

**BUDGET REFERENCE**

The table below identifies the funds and appropriations proposed to fund the contract recommended as part of this memorandum and project costs, including project delivery, construction, and contingency costs.

HONORABLE MAYOR AND CITY COUNCIL

07-20-09

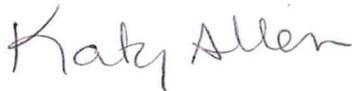
Subject: SNI ST01: Seven Trees Boulevard Sidewalk Improvement Project

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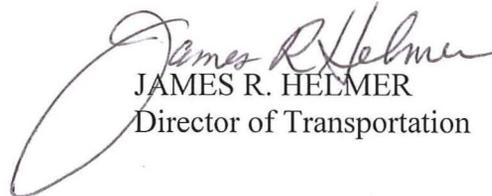
Fund #	Appn. #	RC #	Appn. Name	Total Appn.	Amt. for Contract	2009-2010 Proposed Budget Page	Last Budget Action (Date, Ord.No.)
<b>Remaining Project Costs</b>					\$670,000		
	6627	154523	Seven Trees Boulevard Sidewalk Project	\$110,000	\$110,000	N/A	06/23/09 Ord. No. 28593
<b>Total Current Available Funding</b>				<b>\$110,000</b>			
<b>Recommended Additional Funding</b>							
465	8232	N/A	Reserve-Seven Trees Boulevard Sidewalk Project	\$700,000	\$560,000	V-765	06/23/09 Ord. No. 28593
<b>TOTAL FUNDING FOR PROJECT</b>				<b>\$810,000</b>	<b>\$670,000</b>		

CEQA

CEQA: Exempt, PP08-137.



KATY ALLEN  
Director, Public Works Department



JAMES R. HELMER  
Director of Transportation



JENNIFER A. MAGUIRE  
Budget Director

For questions please contact TIMM BORDEN, DEPUTY DIRECTOR, PUBLIC WORKS DEPARTMENT, at (408) 535-8300.

Attachments



*Department of Planning, Building and Code Enforcement*

JOSEPH HORWEDEL, DIRECTOR

**STATEMENT OF EXEMPTION**

**FILE NO.** PP08-137

**LOCATION OF PROPERTY** East side of Seven Trees Boulevard, from El Cajon Drive to Senter Road

**PROJECT DESCRIPTION** Seven Trees Boulevard Sidewalk Improvement Project including the construction/installation of pavement, sidewalk, concrete retaining wall, ADA compliant curb ramps, streetlights, street trees, drainage facilities, striping and signage. No trees will be removed by this project.

**ASSESSOR'S PARCEL NUMBER** Public Right-of-Way

**CERTIFICATION**

Under the provisions of Section 15301(c) 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:

(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety) except where the activity will involve removal of a scenic resource including a stand of trees, a rock out cropping, or an historic building

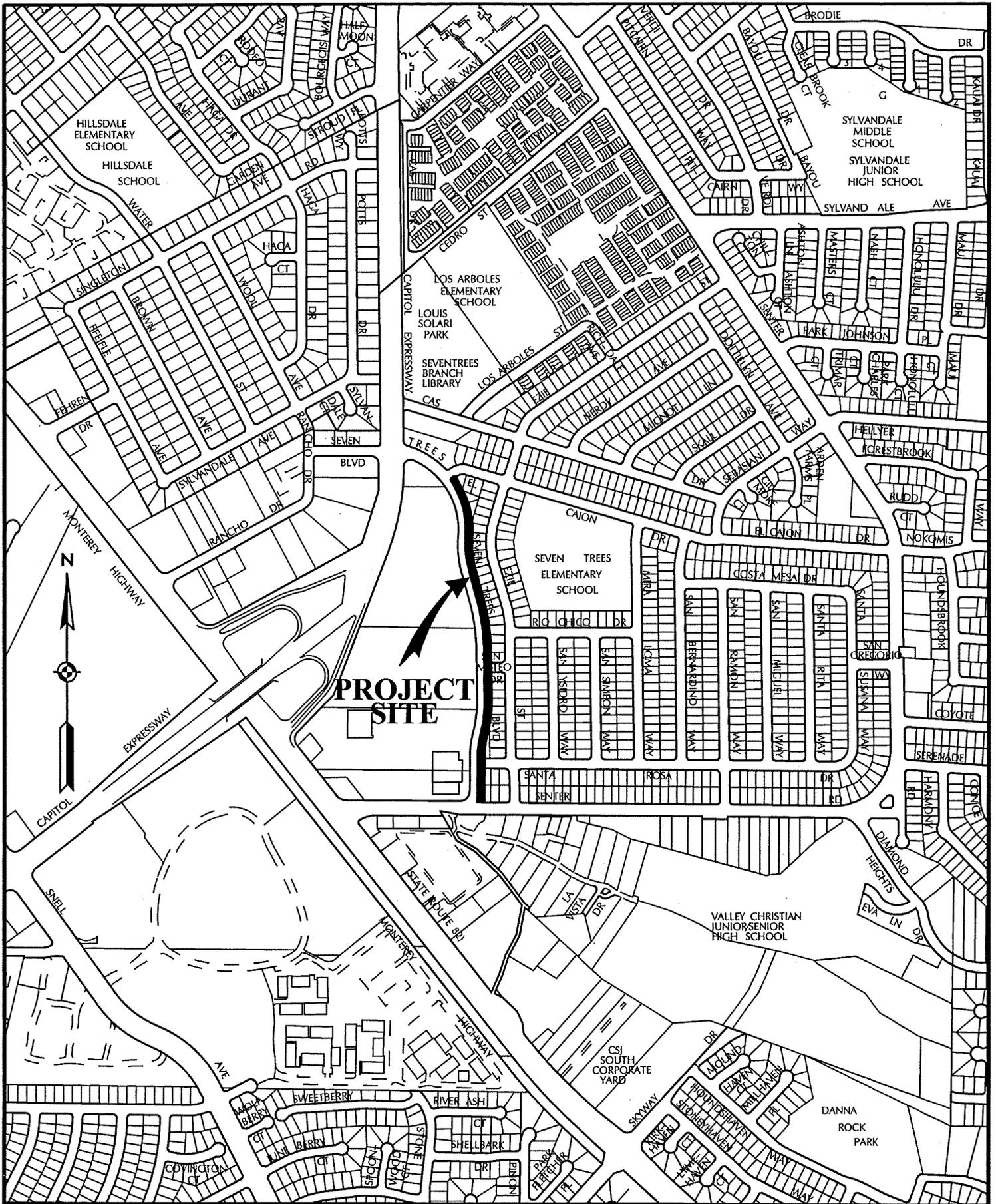
Joseph Horwedel, Director  
Planning, Building and Code Enforcement

Date: July 1, 2008

  
Deputy

Project Manager: Rufino Ortiz, DOT

(Rev 4/11/07)



## LOCATION MAP

NOT TO SCALE

SEVEN TREES BOULEVARD  
 (From El Cajon Dr. to Senter Rd.)

CITY OF SAN JOSE  
 DEPARTMENT OF PUBLIC WORKS  
 JULY 2008