

## Legislation Details (With Text)

**File #:** #20-033      **Version:** 1      **Name:**

**Type:** RESOLUTIONS      **Status:** Passed

**File created:** 1/8/2020      **In control:** City Council

**On agenda:** 1/21/2020      **Final action:** 1/22/2020

**Title:** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) APPROVING AND ADOPTING THE PLANS AND SPECIFICATIONS FOR THE WILDCAT CREEK RESTORATION AND GREENWAY TRAIL PROJECT; (2) AWARDING A CONTRACT FOR THE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, GHILOTTI CONSTRUCTION, IN THE AMOUNT OF \$3,159,966 WITH A 15% CONTINGENCY FOR A TOTAL CONTRACT AUTHORIZATION OF \$3,633,960; (3) AUTHORIZING THE CITY MANAGER TO AMEND AN EXISTING \$404,991 AGREEMENT WITH RESTORATION DESIGN GROUP FOR PROJECT DESIGN SERVICES TO ADD \$25,000 FOR SERVICES REQUIRED FOR CONSTRUCTION PHASE SERVICES WITH A 15% CONTINGENCY, FOR A TOTAL AMENDMENT AUTHORIZATION OF \$28,750; AND (4) AUTHORIZING THE CITY MANAGER TO PROCEED WITH A FORMAL SOLICITATION PROCESS FOR A FUTURE PUBLIC ART PROJECT TO BE DEVELOPED INDEPENDENTLY

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. RES 2020-008 Ghilotti Const award RDG Amend WCC-TRL, 2. WCC-TRL Sample Ghilotti Contract - Staff Report attach, 3. WCC-TRL RDG Amend Proposal 2019.11.08 WG ASR 3\_rev 3

Date	Ver.	Action By	Action	Result
1/22/2020	1	City Council	adopted	Pass

**PREPARED BY:** RONALYN NONATO

**DATE OF MEETING:** 01/21/20

**SUBJECT:**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) APPROVING AND ADOPTING THE PLANS AND SPECIFICATIONS FOR THE WILDCAT CREEK RESTORATION AND GREENWAY TRAIL PROJECT; (2) AWARDING A CONTRACT FOR THE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, GHILOTTI CONSTRUCTION, IN THE AMOUNT OF \$3,159,966 WITH A 15% CONTINGENCY FOR A TOTAL CONTRACT AUTHORIZATION OF \$3,633,960; (3) AUTHORIZING THE CITY MANAGER TO AMEND AN EXISTING \$404,991 AGREEMENT WITH RESTORATION DESIGN GROUP FOR PROJECT DESIGN SERVICES TO ADD \$25,000 FOR SERVICES REQUIRED FOR CONSTRUCTION PHASE SERVICES WITH A 15% CONTINGENCY, FOR A TOTAL AMENDMENT AUTHORIZATION OF \$28,750; AND (4) AUTHORIZING THE CITY MANAGER TO PROCEED WITH A FORMAL SOLICITATION PROCESS FOR A FUTURE PUBLIC ART PROJECT TO BE DEVELOPED INDEPENDENTLY

**CITY MANAGER RECOMMENDATION**

Adopt Resolution

**COMPLIANCE STATEMENTS**

Major Policy Goal: Build a Healthy Community, 100.11 Develop Public Facilities for Active Living

(Parks, Open Space, Sidewalks, Trails, Bike Lanes, etc.) is an adopted policy item under the FY 2019-21 City Council Priority Workplan, effective March 1, 2019.

### **CEQA Compliance Statement**

The proposed project completed CEQA review in 2013 and it was determined to be categorically exempt in accordance with Sections 15304 and 15333 of the CEQA Guidelines, on the basis that this project involves minor alterations to land and small habitat restoration. The Notice of Exemption was filed with the County on May 25, 2018.

### **BACKGROUND**

The Wildcat Creek Restoration and Greenway Trail project will restore 2,200 linear feet of Wildcat Creek and include construction of a 2,100 linear foot greenway-trail with a Class I bike/pedestrian path, landscaping and pedestrian amenities between Church Lane and Vale Road. Currently that section of Wildcat Creek is severely altered with banks that are near vertical, lacks floodplain access, and has a locked-in meander pattern. The creek restoration will focus to establish an active channel width to depth ratio to help transport sediment effectively throughout the reach without excessive sediment deposition, develop in-stream habitat/complexity to increase the creek's viable fish habitat, develop a floodplain bench/terrace to allow the channel to accommodate larger flow volumes, change the slope of the right bank from 1:1 (vertical: horizontal) slope to a 3:1 slope to stabilize the creek and establish new vegetation of over 2,000 native riparian trees and shrubs to further reduce bank erosion while providing terrestrial and avian habitat.

In addition to the creek restoration, increased awareness and engagement with the bicycle and pedestrian community will help shift the public's perception of the creek as a hot spot for illicit activities to being recognized as a viable public corridor. The path will be a crucial link in the future Wildcat Creek Regional Trail, connecting the San Francisco Bay and Wildcat Canyon Regional Park Ridge Trails.

On November 18, 2020, the Wildcat Creek Restoration and Greenway Trail project was advertised in accordance with Section 3.16.070 of the Municipal Code. Nine bid packets were submitted and opened on January 6, 2020. The results are shown in the following table:

<b>Contractor</b>	<b>Bid Amount</b>
Ghilotti Construction Co. Inc.	\$ 3,159,965.50
McCullough Construction, Inc.	\$ 3,197,214.90
Ghilotti Brothers	\$ 3,407,252.50
Grade Tech, Inc.	\$ 3,439,756.45
Granite Rock	\$ 3,448,775.50
Hanford Applied Restoration & Co.	\$ 3,499,467.00
Gordon N. Ball, Inc.	\$ 3,524,231.00
PMK Contractors	\$ 3,658,257.00
Maggiora & Ghilotti	\$ 3,787,783.00

The engineer's construction cost estimate was \$4.1 million.

The apparent lowest responsive and responsible bidder is Ghilotti Construction Company Inc. of

Santa Rosa, California for \$3,159,965.50. Staff recommends awarding the contract to Ghilotti Construction with a 15% contingency of \$473,994 for a total authorization of \$3,633,960.

Construction is anticipated to begin in late Spring 2020 and completed in Spring 2021.

On October 16, 2017, the project design was awarded by the City Council to Restoration Design Group (RDG) with a total authorization of \$404,991. Although the construction management services task was awarded by the City Council to Park Engineering on November 18, 2019, design support may still be needed due to unforeseen conflicts since creek design features or reinforcements are typically unique and not industry standards. To ensure potential design changes are supported, staff is recommending authorization of an amendment to the existing agreement with RDG to provide limited construction phase services in support of the various regulatory agency permit requirements and design direction necessary to complete the Wildcat Creek project. Staff has obtained a quote from RDG to perform limited tasks (see Attachment B) for the amount of \$25,000. With a 15% contingency of \$3,750, the total amendment authorization will be \$28,750.

### **Proposed Public Art Project**

The community raised interest to install public art at one of the pocket parks of the project. Staff recommends that the City Manager be authorized to proceed with a formal solicitation process for a future public art project to be developed independently and separate from the City's construction contract of the capital improvement project, with future public art program parameters, funding, and final site selection. This future project would be considered for implementation through input from a designated City Council Standing Committee, and subsequent approval by the City Council.

### **FISCAL IMPACT**

Funding for the construction contract with Ghilotti Construction for the Wildcat Creek Restoration and Greenway Trail project exists through the following funding sources

<b>Fund Name</b>	<b>Amount</b>	<b>Approving Resolution</b>	<b>Notes</b>
Wildcat Creek Trail Project (WCC-TRL)	\$ 785,000	2017-197	State Coastal Conservancy Grant
Wildcat Creek Trail Project (WCC-TRL)	\$ 582,890	2017-197	California Natural Resource Agency Grant
Wildcat Creek Trail Project (WCC-TRL)	\$ 222,756	2018-103	Measure J- Transportation for Livable Communities Grant
Wildcat Creek Trail Project (WCC-TRL)	\$ 1,000,000	2018-103	Measure J- Pedestrian, Bicycle & Trail Facilities Grant
Wildcat Creek Trail Project (WCC-TRL)	\$ 644,163	2018-146	Measure WW- Urban Creeks Grant
Wildcat Creek Trail Project (WCC-TRL)	\$ 399,151	2019-080	Re-allocated General Fund Designated Reserves
<b>TOTAL</b>	<b>\$ 3,633,960</b>		

Because of a change to the CIP chart of accounts, project funding will be transferred from the old account code structure to the new account code structure as follows:

Transaction	Fund Name	Account Code From: Account Code To:	Amount
Transfer	Wildcat Creek Trail Project (WCC-TRL)	320-3202-43600-WCC-TRL 320-0201-43604-SCC-217	\$ 785,000
Transfer	Wildcat Creek Trail Project (WCC-TRL)	320-3202-43600-WCC-TRL 320-0201-43604-CNR-217	\$ 582,890
Transfer	Wildcat Creek Trail Project (WCC-TRL)	320-3203-43600-WCC-TRL 320-0201-43604-TLC-317	\$ 222,756
Transfer	Wildcat Creek Trail Project (WCC-TRL)	320-3203-43600-WCC-TRL 320-0201-43604-PBT-217	\$ 1,000,000
Transfer	Wildcat Creek Trail Project (WCC-TRL)	320-3203-43600-WCC-TRL 320-0201-43604-MWW-318	\$ 644,163
Transfer	Wildcat Creek Trail Project (WCC-TRL)	320-3200-43600-WCC-TRL 320-0201-43604-GFD-419	\$ 399,151
<b>TOTAL TRANSFERS</b>			<b>\$ 3,633,960</b>

Lastly, funding to amend an existing contract with Restoration Design Group for project design services exists pursuant to approved funding in Resolution 2019-080 in the amount of \$25,000 including a 15% contingency for a total agreement amendment authorization of \$28,750 (320-3200-43600-WCC-TRL).

The budget for the project consists of the following fund sources:

Fund Source	Amount
State Coastal Conservancy Grant	\$ 1,300,000
California Natural Resource Agency Grant	\$ 689,222
Measure J- Transportation for Livable Communities Grant	\$ 280,000
Measure J- Pedestrian, Bicycle & Trail Facilities Grant	\$ 1,000,000
Measure J- Local Street Maintenance	\$ 900,000
Measure WW- Urban Creeks Grant	\$ 800,000
General Fund/ General Fund Designated Reserves	\$ 1,178,904
<b>TOTAL</b>	<b>\$ 6,148,126</b>

It should be noted that these state grants and local measures are restrictive and can be used only for specific items of work. The grant agencies have specific construction installation items, design services, construction work and outreach that they can fund. Hence the project budget monies are limited to those designated items. Funding of other amenities or services through the grant funding sources is not allowed. The City's General Fund and General Fund Designated Reserves budget are used as requirements to match the grant agencies' funding.

The projected costs for the project are:

Project Phase	Amount
Design	
Consultant	\$461,559

Construction	
Construction Contracts	\$3,545,455
Construction Contingency	\$490,381
Construction Management	\$493,012
Permitting and Monitoring	\$100,000
Miscellaneous (Educational outreach, funding signs, etc.)	\$67,000
<b>TOTAL</b>	<b>\$5,157,409</b>

Due to favorable bids, the projected project costs appear to be below budget.

Attachments:

- A. Draft City of San Pablo Wildcat Creek Restoration and Greenway Trail contract with Ghilotti Construction.
- B. Wildcat Creek Restoration and Greenway Trail Additional Service Request #3, by Restoration Design Group, dated September 16, 2019.