

## Legislation Text

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File #: #20-053, Version: 1

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**PREPARED BY:** ALLAN A. PANGANIBAN

**DATE OF MEETING:** 03/02/20

**SUBJECT:**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO ACCEPTING WORK PERFORMED BY GHILOTTI BROTHERS, INC. FOR THE SAN PABLO AVENUE COMPLETE STREETS PROJECT (SPA-CST) AS COMPLETE AND DIRECTING THAT A NOTICE OF COMPLETION BE PREPARED AND FILED WITH THE COUNTY RECORDER

**CITY MANAGER RECOMMENDATION**

Adopt Resolution

**COMPLIANCE STATEMENTS**

*Build a Healthy Community: Priority 100.11* - Develop Public Facilities for Active Living is an adopted policy under the FY 2019-21 Council Priority Workplan, adopted on March 1, 2019 through Resolution 2019-029.

**CEQA Compliance Statement**

This project was categorically exempt under the California Environmental Quality Act (CEQA), Section 15301 (c), on the basis that the project involves repair and minor alteration to the existing streets, sidewalks, gutters, and similar facilities. The Notice of Exemption was filed and recorded with the Contra Costa County clerk on October 24, 2016.

The State has also determined that this project has no significant impacts on the environment as defined by the National Environmental Policy Act (NEPA), and that there are no unusual circumstances as described in 23 CFR 771.117 (b). The NEPA determination was approved by the State on October 12, 2016 and revalidated on April 4, 2017.

**BACKGROUND**

On February 20, 2018, through Resolution 2018-019, City Council awarded a construction contract for the San Pablo Avenue Complete Streets Project ("Project") to Ghilotti Brothers, Inc. ("Contractor"). City Council also authorized the City Manager to execute an agreement in the amount of \$5,283,721.

The Project included improving multimodal access, safety and connection along the San Pablo Avenue corridor by modifying the existing road section adding Class 2 bike lanes in both directions of travel. The Project was constructed to include sidewalk installation on the west side of San Pablo Avenue from Rivers Street to Hilltop Drive, and from Rivers Street to Lancaster Drive on the east side. The Project also removed an existing slip lane into Robert H. Miller Drive and replaced it with a right turn pocket. A new traffic signal was installed at La Puerta Road and the existing traffic signals at Rivers Street and Robert H. Miller Drive were modified. Soil nail retaining walls were constructed to allow the roadway to be widened sufficiently to accommodate the new facilities for non-motorized roadway use. The Project also included pavement striping and signage improvements, concrete curb

and gutter, storm drain improvements, street lighting and landscaping. This project was done in collaboration with the City of Richmond.

Construction began in early April 2018. The extraordinarily rainy winter delayed the paving until March 2019. The construction work was substantially completed by November 2019. The final punch list items were completed in December 2019.

Major changes in work includes the removal and off-haul of contaminated soils located near the retaining wall, installation of additional soil nails, application of a rock wall finish, an increase in the amount of asphalt concrete placed and the installation of pavement fabric under the new asphalt concrete pavement.

The final construction contract has been determined to be \$5,970,485. The contractor concurred to this amount through a letter dated January 23, 2020. Of the original contract amount, only \$4,754,736 was fulfilled due to either increase or decrease in quantities and due to elimination of work. However, due to unforeseen changes and conditions, additional efforts had to be spent in contract change orders amounting to \$1,215,749. The City Engineer has determined that the above work has been completed in accordance with project plans and specifications.

By adopting the attached resolution, the Council will accept the work as complete and authorize the City Engineer to issue a Notice of Completion. This action will allow the title of the work to transfer from Contractor to City and will enable processing of final payment.

The City is holding 5% retention on this project. After the prescribed period of recordation of the Notice of Completion, the City will release the final retention.

#### **FISCAL IMPACT**

As stated above, the total contract cost amount is \$5,970,485, including retention. The following tables detail the project's budget funding sources and expense totals.

<b>Project Budget</b>	
Fund Source	Amount
Grant Funding - One Bay Area Grant (OBA 2)	\$ 5,978,000
General Fund	\$ 615,000
General Fund Designated Reserve	\$ 150,000
Other - City of Richmond Grant Match	\$ 615,000
<b>Total Project Funding</b>	<b>\$ 7,358,000</b>

<b>Project Expenditures</b>	
Description	Amount
Design	\$ 639,026
Construction contract	\$ 5,970,485

Construction management (including materials testing)	\$ 558,578
Miscellaneous	\$ 18,539
<b>Total Project Expenditures</b>	<b>\$ 7,186,628</b>

The federal grant funds can be fully reimbursed once all the Caltrans forms have been submitted and approved. Staff anticipates full recovery of the federal grant amount through a final reimbursement request. Unused City of Richmond funds will simply not be requested for reimbursement. The City of San Pablo funds will be closed leaving a balance of approximately \$158,655, which will be returned to source (General Fund) per best management practices. At a future date, City staff will return to City Council to request re-appropriation of that balance towards another Capital Improvement Project.