TO:    HONORABLE CITY COUNCIL
FROM:  CITY MANAGER                        DEPARTMENT:  PUBLIC WORKS
DATE:  OCTOBER 6, 2008                   CMR:383:08
REPORT TYPE:   CONSENT

SUBJECT:  Approval Of A Contract With Spencon Construction, Inc. In The
Amount Of $584,134 For Fiscal Year 2008-09 Sidewalk Replacement
Project – Capital Improvement Program Project PO-89003

RECOMMENDATION
Staff recommends that Council:

1. Approve and authorize the City Manager or his designee to execute the attached contract
with Spencon Construction, Inc. in the amount of $584,134 for Fiscal Year (FY) 2008-
2009 Sidewalk Replacement Project – Capital Improvement Program (CIP) Project PO-
89003 (Attachment A).

2. Authorize the City Manager or his designee to negotiate and execute one or more change
orders to the contract with Spencon Construction, Inc. for related, additional but
unforeseen work which may develop during the project, the total value of which shall not
exceed $58,400.

DISCUSSION
Project Description
The work to be performed under this contract is for sidewalk, curb, gutter, asphalt pavement, and
catch basin replacements; and Portland cement concrete and asphalt recycling. The sidewalk
replacement locations are shown on Location Maps 2 and 3 (Attachment B). The project also
includes the new construction of integral sidewalk, curb and gutter at #2023 - #2025 East
Bayshore Road, the intensive-use sidewalk replacement, and the tree-well grate installations on
downtown University Avenue and El Camino Real as shown on Location Maps 1 and 3
(Attachment B). The new sidewalk at #2023 - #2025 East Bayshore Road is part of the San
Francisco Creek Storm Drain Pump Station CIP SD-06102. It is being coordinated with this
project to obtain the best possible price for the type of work.

Work in downtown and other intensive use areas will be stopped during lunch hours to minimize
the inconvenience to merchants and the public. This contract also includes the construction of
dozen curb ramps with yellow detectable warning surfaces in compliance with the American
with Disabilities Act (ADA) and in accordance with the 2007 Public Works Standard Drawings
and Specifications. A detectable warning surface is a standardized surface feature built in or
applied to walking surfaces or other elements to warn visually impaired people or hazards on a
circulation path and consist of a surface of truncated domes aligned in a square grid pattern and yellow in color.

**Bid Process**
On July 30, 2008, a notice inviting formal bids for the FY 2008-09 Sidewalk Replacement Project was posted at City Hall, and sent to ten builder’s exchanges and seven contractors. The bidding period was twenty-seven days. Bids were received from six qualified contractors on August 26, 2008, as listed on the attached Bid Summary (Attachment C). The Certification of Nondiscrimination is Attachment D.

<table>
<thead>
<tr>
<th>Summary of Bid Process</th>
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<tbody>
<tr>
<td><strong>Bid Name/Number</strong></td>
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<tr>
<td><strong>Proposed Length of Project</strong></td>
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<tr>
<td><strong>Number of Bids Mailed to Contractors</strong></td>
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<td><strong>Number of Bids Mailed to Builder's Exchanges</strong></td>
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<td><strong>Total Days to Respond to Bid</strong></td>
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<td><strong>Pre-Bid Meeting?</strong></td>
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<td><strong>Number of Company Attendees at Pre-Bid Meeting</strong></td>
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<tr>
<td><strong>Number of Bids Received</strong></td>
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<tr>
<td><strong>Bid Price Range</strong></td>
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Bids ranged from a high of $743,277 to a low bid of $584,134. Staff has reviewed all bids submitted and recommends that the bid of $584,134 submitted by Spencon Construction, Inc. be accepted and that Spencon Construction, Inc. be declared the lowest responsible bidder. The bid is 15 percent below the engineer's estimate of $691,925. The change order amount of $58,400, which equals 10 percent of the total contract, is requested for related, additional but unforeseen work which may develop during the project.

Staff checked references supplied by the contractor for previous work performed and found no significant complaints. Staff also checked with the Contractor's State License Board and found that the contractor has an active license on file and has no outstanding complaints.

**RESOURCE IMPACT**
Funds for this project are included in the FY 2008-09 Capital Improvement Program Sidewalk Replacement Project, PO-89003, and FY 2007-08 Capital Improvement Program Pump Station Project, SD-06102. Any excess funds remaining will return to their respective Capital Improvement Program budgets.

**POLICY IMPLICATIONS**
This recommendation does not represent any change to existing City policies.
ENVIRONMENTAL REVIEW
This project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301c of the CEQA guidelines as repair, maintenance and/or minor alteration of the existing facilities and no further environmental review is necessary.

ATTACHMENTS
Attachment A: Contract
Attachment B: Location Maps 1, & 2
Attachment C: Bid Summary
Attachment D: Certification of Nondiscrimination

PREPARED BY: MATTHEW A. RASCHKE
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DEPARTMENT HEAD: GLENN S. ROBERTS
Director of Public Works

CITY MANAGER APPROVAL: JAMES KEENE
City Manager