



## City Council Staff Report

**From: City Manager**

**Report Type: CONSENT CALENDAR**

**Lead Department: Public Works**

**Meeting Date: June 10, 2024**

Report #:2404-2878

### **TITLE**

Approval of Construction Contract C24190538A with JJR Construction, Inc. in an Amount Not-to-Exceed \$1,586,191 and Authorization for the City Manager or Their Designee to Negotiate and Execute Change Orders for Related Additional but Unforeseen Work that May Develop During the Project Up to a Not-to-Exceed Amount of \$158,619 for the Fiscal Year 2024 Sidewalk Repair ADA Improvement Project-REBID, Capital Improvement Program Projects PO-89003 and PO-12001; CEQA Status – exempt under section 15301(c)

### **RECOMMENDATION**

Staff recommends that Council:

1. Approve and authorize the City Manager or their designee to execute Construction Contract No. C24190538A with JJR Construction, Inc., in an amount not to exceed \$1,586,191 for the Fiscal Year 2024 Sidewalk Repair ADA Improvement Project-REBID (Sidewalk Repairs (PO-89003) and Curb and Gutter Repairs (PO-12001) capital improvement projects); and
2. Authorize the City Manager or their designee to negotiate and execute one or more change orders to the contract with JJR Construction, Inc. for related, additional but unforeseen work that may develop during the project, the total value of which shall not exceed \$158,619.

### **BACKGROUND**

The Public Works Engineering Services Division manages construction contracts for concrete sidewalk, driveway, curb ramp, curb and gutter repairs and maintenance at various locations throughout the City annually. The City completed its 30-year district by district repair program in 2017. That same year, the City contracted with Nichols Consulting Engineers (NCE) to evaluate the program and assess potential improvements.<sup>1</sup> The study was completed in Spring 2019 and included surveying 20 percent of the City's sidewalk network and nearly 60 percent of

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<sup>1</sup> City Council, November 06, 2017: Agenda Item# 11; SR #8611, <https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/reports/city-manager-reports-cmrs/year-archive/2017/id.-8611-sidewalk-assessment-study.pdf>

the curb ramps. This data was used to determine trends for future repairs and determine funding needs to maintain the 30-year sidewalk district program.

The City deferred its annual sidewalk maintenance program due to funding being reduced in FY 2021 and FY 2022 as a part of the FY 2021 Capital Improvement Program budget strategy. The remaining funding was used to perform emergency maintenance and spot repairs. Funding was restored in FY 2023 to support pre-pandemic maintenance schedules, however Public Works Engineering Services Division was not fully staffed and was unable to manage a project in FY 2023. With the staff vacancies now filled, staff is ready to implement a larger sidewalk project that would incorporate additional funding from the Community Development Block Grant (CDBG).

The City will be resuming its sidewalk maintenance program and starting a new district by district repair cycle this fiscal year based on the data provided by the NCE study. The study renumbered the sidewalk districts in order of priority based on the quantity of repairs required. Based on this new ranking, repairs for this fiscal year's project will primarily be focused on sidewalk districts 1 and 2 which encompasses the Downtown and Professorville neighborhoods.

## **ANALYSIS**

Staff recommends approval of Contract No. C24190538A<sup>2</sup> as part of the program to maintain and improve the condition of Palo Alto's sidewalk network. Each year this project addresses one or two of the 23 sidewalk districts. The City will be starting a new rehabilitation cycle starting with sidewalk districts 1 and 2. The work to be performed under this concrete involves sidewalk, driveway, curb ramp, curb, gutter, and asphalt pavement repairs. Repair locations are shown in Attachment A.

The scope of work includes the replacement of approximately 18,468 square feet of concrete sidewalk, 2,136 linear feet of curbs and gutters, and 3,759 square feet of driveways. Additionally, 84 new curb ramps will be installed, and 33 existing curb ramps will be retrofitted with truncated domes to conform to the Americans with Disabilities Act (ADA).

A portion of this project is funded by the Community Development Block Grant (CDBG) program, administered by the U.S. Department of Housing and Urban Development (HUD). Funds of \$300,000 were reallocated from the Ravenswood Family Health Network<sup>3</sup> and funds of \$211,673 were appropriated to align the FY 2024 Budget with the FY 2023-24 CDBG Action

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<sup>2</sup> JJR Construction, Inc. FY24 Sidewalk Repair ADA Improvement Project, Contract #C24190538A; [www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/cip-contracts/c24190538a-jjr-construction\\_5.20.2024\\_staff-report\\_rev1.pdf](http://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/cip-contracts/c24190538a-jjr-construction_5.20.2024_staff-report_rev1.pdf)

<sup>3</sup> City Council, April 17, 2023; Agenda Item #9; SR #2302-0991; <https://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/cip-contracts/sr2302-0991-4.17.2023-cdbg-funds-for-sidewalk-cip-po-89003.pdf>

Plan<sup>4</sup> totaling \$511,673. The transferred funds will be used to cover a part of the project's improvements which equates to 59 new curb ramps and 4,704 square feet of sidewalk.

#### Solicitation Process

On March 13, 2024, a notice inviting formal bids for the FY 2024 Sidewalk Repair ADA Improvement Project was posted on OpenGov, the City's eProcurement platform. The bidding period was 21 calendar days. The City received three (3) responsive bids over the approved budget, hence the City exercised its right to reject all bids. Subsequently, on April 17, 2024, a notice inviting formal bids for the FY 2024 Sidewalk Repair ADA Improvement Project-REBID was posted on OpenGov with adjustments made to the project scope. The rebidding period was 14 calendar days. Bids were received from three (3) qualified contractors on May 1, 2024, as listed on the attached Bid Analysis in Attachment B.

Table #1: Summary of Invitations for Bid	
Project Bid Name/Number	FY 2024 Sidewalk Repair ADA Improvement Project-REBID (IFB 190538A)
Proposed Length of Project	210 calendar days
# of Bid Packages Downloaded by Contractors	17
# of Bid Packages Downloaded by Builder's Exchanges	1
Total Days to Respond to Bid	14 calendar days
Mandatory Pre-Bid Meeting?	No
Number of Bids Received	3
Bid Price Range	\$1,481,791 to \$2,373,045
Public Link to Solicitation	<a href="https://procurement.opengov.com/portal/palo-alto-ca/projects/90537">https://procurement.opengov.com/portal/palo-alto-ca/projects/90537</a>

The apparent low bidder was selected based upon the base bid. The bids ranged from \$1,481,791 to \$2,373,045 and from 20% below to 28% above the engineer's estimate of \$1,856,815. Staff reviewed the submitted bids and recommends the acceptance of the base bid submitted by JJR Construction, Inc. in the amount of \$1,481,791, and that JJR Construction, Inc. be declared the lowest responsible bidder. Staff also recommends awarding add alternates #1 and #2 in the amounts of \$46,400 and \$58,000 for additional sidewalk repairs. The total base bid plus the add alternates totals \$1,586,191. The construction contingency amount of \$158,619, which equals approximately 10% of the contract value, is requested for related, additional, but unforeseen work which may develop during the project, implemented via City-approved Change Order.

Staff reviewed information and similar projects performed by the lowest bidder, JJR

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<sup>4</sup> City Council, February 12, 2024; Agenda Item #11; SR#2311-2233;  
<https://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/cip-contracts/sr2311-2233-2.12.2024-cdbg-fy-2024-mid-year.pdf>

Construction, Inc. and found them to be the lowest responsive and responsible bidder. Staff also checked with the Contractor’s State License Board and confirmed the contractor has an active license on file.

#### **FISCAL/RESOURCE IMPACT**

Funding for this contract is available in the Fiscal Year 2024 Adopted Capital Improvement Program Sidewalk Repairs project (PO-89003), and Curb and Gutter Repairs project (PO-12001).

The funding allocation is as follows:

Table #2: Funding Allocation			
Funding Source	Contract	Contingency	Total Encumbrance
PO-89003	\$1,403,448	\$140,345	\$1,543,793
PO-12001	\$182,743	\$18,274	\$201,017
Total	\$1,586,191	\$158,619	\$1,744,810

#### **STAKEHOLDER ENGAGEMENT**

Notices of sidewalk and driveway closures will be distributed to impacted parties 72-hours to 120-hours prior to the start of work. “No Parking” signs will also be posted 72-hours in advance of all work. The latest construction schedule will be posted on the City website and will be updated as necessary.

#### **ENVIRONMENTAL REVIEW**

This project is categorically exempt from the California Environmental Quality Act (CEQA) under section 15301(c) of the CEQA Guidelines as the project scope involves the repair, maintenance, and/or minor alteration of existing facilities including. No further environmental review is necessary.

#### **ATTACHMENTS**

Attachment A: Project Location Maps

Attachment B: Bid Analysis

#### **APPROVED BY:**

Brad Eggleston, Director Public Works/City Engineer