APPROVE FINDINGS AND CONTRACT CHANGE ORDER NO. 1 WITH NOR-CAL CONCRETE, INC. FOR THE 2015 SIDEWALK, CURB, AND GUTTER REPAIR PROGRAM (PROJECT NO. PW1531)

RECOMMENDATION

It is recommended that the City Council approve a motion authorizing the City Manager to:

1. Approve findings pursuant to Stockton Municipal Code (SMC) section 3.68.070 in support of an exception to the competitive bidding process.

2. Execute Contract Change Order No. 1 for $257,881 with Nor-Cal Concrete, Inc. to complete additional contract work under the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531).

It is further recommended that the motion authorize the City Manager to take appropriate and necessary actions to carry out the purpose and intent of this motion.

Summary

The 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531) includes removal and replacement of City-maintained tree root damaged sidewalks at 319 locations, removal of 156 City trees and stumps, and installation of Americans with Disability Act (ADA) compliant curb ramps at 24 locations. On November 17, 2015, by Resolution No. 2015-11-17-1201, Council authorized the award of a Construction Contract for $1,252,950 with Nor-Cal Concrete, Inc. of Suisun City, CA, to complete this project.

On December 8, 2015, by Resolution No. 2015-12-08-1502, Council approved amendments to the Fiscal Year 2015-16 General Fund Budget. The budget amendments included the allocation of $250,000 of one-time General Funds for additional sidewalk, curb and gutter repair.

The proposed Contract Change Order No. 1 (Attachment A) utilizes the additional funding and a small amount of project fund balance to increase the contract by $257,881. This action will allow for the following additional work as shown on Attachments B and C.

- Remove and replace an additional 56 locations of City-maintained tree root damaged sidewalks;
- Remove an additional 30 City trees and stumps; and
- Install ADA compliant curb ramps at four additional locations.
DISCUSSION

Background

The City maintains approximately 760 centerline miles of streets, most of which contain curb, gutter, and sidewalk. Prior to 1968, the adjacent property owner was responsible for all maintenance of the curb, gutter, and sidewalk in accordance with the Streets and Highways Improvement Act of 1911.

In 1968, Council revised the Stockton Municipal Code (SMC) to assume responsibility for repairs to all sidewalks, curbs, and gutters in cases where the damage is caused by City owned or controlled trees (prior SMC 12.04.040).

The City regularly receives requests for repair of curb, gutter, sidewalk, and the installation of curb ramps. Each request is evaluated to determine if the repair is the City's responsibility. If repairs are warranted, the location is added to a database for future permanent repairs. For sidewalk locations that need immediate correction, temporary repair is made using asphalt concrete material to patch the displaced area to remove the tripping hazard. Permanent repairs are made as funding becomes available and are prioritized in chronological order, based on the date of the original service request.

Typical annual funding available to the City for repair of curb, gutter, sidewalk, and the installation of curb ramps is approximately $185,000 from State Transportation Development Act funds and approximately $250,000 of Measure K funds. The approved Fiscal Year 2015-16 Annual Budget and Capital Improvement Program allocated $751,000, which included $300,000 from the General Fund.

On November 17, 2015, by Resolution No. 2015-11-17-1201, Council authorized the award of a Construction Contract for $1,252,950 with Nor-Cal Concrete, Inc. of Suisun City, CA, for the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531). The project includes removal and replacement of City-maintained tree root damaged sidewalks at 319 locations, removal of 156 City trees and stumps, and installation of ADA compliant curb ramps at 24 locations.

In addition to the locations to be repaired under this contract, there are over 600 sidewalk, curb, and gutter locations, and over 150 curb ramp locations, remaining on the backlog list. This repair location backlog does not include locations where sidewalks are needed, but do not currently exist. These locations are referred to as “sidewalk gaps”, and are addressed when the City is able to successfully compete for grant funding for “sidewalk gap closure” projects.

On December 8, 2015, by Resolution No. 2015-12-08-1502, Council approved amendments to the Fiscal Year 2015-16 General Fund Budget. The budget amendments allocated $250,000 of one-time General Funds for additional sidewalk, curb and gutter repairs.

Present Situation

Nor-Cal Concrete, Inc. began construction of the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531) in February, 2016.

The proposed Contract Change Order No. 1 utilizes the additional funding approved by Council in December 2015, plus a small amount of project fund balance, to increase the value of the construction contract with Nor-Cal Concrete, Inc. by $257,881. This will allow for the following
additional work as shown on Attachments B and C.

- Remove and replace an additional 56 locations of City-maintained tree root damaged sidewalks;
- Remove an additional 30 City trees and stumps; and
- Install ADA compliant curb ramps at four additional locations.

Pursuant to SMC section 3.68.070, Council may approve findings which support an exception to the competitive bidding process. These findings include:

a. Utilizing the contract change order process, instead of rebidding the additional work, allows the City to take advantage of the favorable unit costs available from the current competitively bid larger project.

b. Utilizing the contract change order process is more efficient than bidding the project, because it eliminates advertising and administrative costs associated with issuing and awarding a new contract.

c. Utilizing the contract change order process is more efficient than bidding the project, because the project inspection, payment, and general administrative tasks are combined under one contract with one contractor.

The recommended motion will approve Contract Change Order No. 1 for $257,881 with Nor-Cal Concrete, Inc. to complete additional contract work under the 2015 Sidewalk, Curb, and Gutter Repair Program (Project No. PW1531). The total revised final contract amount, including Contract Change Order No. 1, will be $1,510,831.

FINANCIAL SUMMARY

With the additional $250,000 allocated on December 8, 2015, from the General Fund, there are sufficient funds available in Project No. PW1531 (082) to fund the proposed Contract Change Order No. 1.

Attachment A - Contract Change Order No. 1 with Nor-Cal Concrete, Inc.
Attachment B - Additional Locations - Sidewalk, Curb, and Gutter Repair List
Attachment C - Additional Locations - Curb Ramp Installation List