



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Ristow
Matt Loesch

SUBJECT: 10271 – 2023 LOCAL STREETS
RESURFACING SOUTH PROJECT

DATE: April 17, 2023

Approved

Date

4/25/23

COUNCIL DISTRICTS: 1, 6, 7 & 10

RECOMMENDATION

- (a) Report on bids and award of contract for the 10271 – 2023 Local Streets Resurfacing South Project, to the lowest responsive, responsible bidder, MCK Services, Inc., in the amount of \$13,489,289, and
- (b) Approve a 10% contingency in the amount of \$1,348,000.

SUMMARY AND OUTCOME

Award of this contract to MCK Services, Inc. will enable the completion of approximately 28 miles of resurfacing to streets within the Local & Neighborhood Streets Network. Approval of the 10% contingency provides funding for any unanticipated work necessary for the proper completion or construction of the project.

BACKGROUND

The Department of Transportation (DOT) will maintain approximately 161 miles of streets on the Local and Neighborhood Streets Network in the 2023 construction season. Of this, 110 miles will be resurfaced due to their poor to failed condition, and 51 miles will be sealed. These projects are funded by the Measure T Bond program which designates \$300 million for the repair or rehabilitation of local and neighborhood streets in the worst condition.

Pavement maintenance is typically performed in two separate phases: preparation and a final surface application. The preparation phase consists of the installation and upgrade of Americans with Disability Act) curb ramps. The Americans with Disability Act work is conducted using minor contracts to provide more opportunities for local and small businesses. The final surface application phase is known as resurfacing, which is the removal of several inches of damaged or

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degraded roadway, and the installation of a new layer of asphalt, followed by roadway striping and markings. To complete 110 miles of resurfacing work in one construction season, the 2023 resurfacing work will be divided into four separate projects and implemented concurrently.

The City's Local and Neighborhood Streets Network is organized into 135 geographically contiguous Pavement Maintenance Zones. The Pavement Maintenance Zones were established several decades ago to support efficient planning and delivery of paving projects, maximize the amount of paving work completed at one time within a neighborhood area, and provide geographic spread of pavement maintenance across the City.

DOT utilizes a Pavement Management System to collect and store roadway condition data that is used to generate a candidate list of streets to be considered for the annual pavement maintenance program. The candidate list is then thoroughly analyzed by staff using the following criteria to create the final list of streets:

- Funding availability and funding use restrictions
- Total miles of streets in reconstruction and rehabilitation category
- Streets not affected by current or future street related projects
- Maintenance history and prescribed treatment schedules
- Relative location of street segments to create multiple, continuous segments, consistency within neighborhoods, and project efficiency
- Multi-year geographic spread across the City and street network
- Number of public traffic attraction facilities such as schools, hospitals, libraries, community centers, etc.
- Community and City Council office feedback regarding roadway conditions and priority street segments

In 2021, DOT added equity as a criterion for zone selection. DOT staff cross-referenced the selected zones with census tracts designated by the Metropolitan Transportation Commission as Equity Priority Communities, formerly known as "Communities of Concern" to better track equity in service delivery. Results confirmed that 313 out of 354 miles (roughly 88%) of local and neighborhood streets designated in Equity Priority Communities will be maintained by the end of the current three-year plan (2025). DOT anticipates completing pavement maintenance for nearly 76% of the local street network in this same timeframe.

DOT has maintained a total of 214 Equity Priority Communities miles since 2019 and will be maintaining an additional 15 Equity Priority Communities miles in 2023, which is roughly 9% of the 161 miles of Local and Neighborhood Streets selected for maintenance in 2023.

The attachment to this memorandum contains the list of streets to be resurfaced (Refer to Attachment – List of Streets). The list may change if unforeseen circumstances arise or new information regarding other projects becomes available.

ANALYSIS

Bids were opened on March 30, 2023, with the following results:

<u>Contractor</u>	<u>Bid Amount</u>	<u>Variance Amount</u>	<u>Over/(Under) Percent</u>
MCK Services, Inc. (Concord, CA)	\$13,489,289.00	\$1,819,147.75	(12)
DeSilva Gates Construction, LLC (Dublin, CA)	\$14,714,714.00	\$593,722.75	(4)
<i>Engineer's Estimate</i>	<i>\$15,308,436.75</i>	--	--
A. Teichert & Son, Inc. (Pleasanton, CA)	\$15,362,638.00	\$54,201.25	0

The Engineer’s Estimate for this project is \$15,308,436.75 and was based on bids received from similar past projects and current estimated construction prices. The low bid, submitted by MCK Services, Inc., is \$13,489,289.00 and is approximately 12% below the Engineer’s Estimate. Staff considers the bid to be acceptable for the work involved and recommend awarding the contract to MCK Services, Inc. MCK Services, Inc. has previously completed multiple major pavement maintenance projects for the City of San José. In the 2022 construction season, MCK Services, Inc. resurfaced approximately 114 miles of City streets through 5 different projects. In 2023, MCK Services Inc. has been awarded 2 major construction contracts to repave an additional 53 miles.

Construction is scheduled to begin in June 2023 and be completed by the end of November 2023.

Contingency

San Jose Municipal Code Section 27.04.050 provides for a standard contingency of 10% on all public works contracts except those involving the renovation of building or buildings. The standard contingency is appropriate for this project.

Project Labor Agreement Applicability

The Project Labor Agreement is applicable to this project as the Engineer’s Estimate is over \$1.2 million.

Local and Small Business Outreach

Public Works procurement staff used Biddingo to outreach to local and small business enterprises. Chapter 4.12 of the San José Municipal Code defines a “local business enterprise”

as one with a legitimate business presence in Santa Clara County and “small business enterprise” as a local business enterprise with 35 or fewer employees. Procurement staff sent bid invitations to 9126 vendors, and documents were downloaded by 14 vendors, 5 of which were located within Santa Clara County. The recommended contractor is not a local or a small business enterprise. No local or small business enterprises were listed as subcontractors on the project.

EVALUATION AND FOLLOW-UP

DOT provides an ongoing evaluation of the City’s pavement conditions and provides periodic reports on this topic to the Transportation and Environmental Committee. In addition to the project discussed in this memorandum, three additional major street projects consisting of 75 miles, and six additional local and neighborhood street pavement maintenance projects totaling 133 miles are scheduled for council action this spring.

COST SUMMARY/IMPLICATIONS

This project supports the Transportation and Aviation Services City Service Area goal to *Preserve and Improve Transportation Assets and Facilities*. By performing pavement maintenance with this project, the extension of the useful life of the project streets will defer more costly reconstruction. The source of funding for this project is through the 498 – Measure T Public Safety and Infrastructure Bond Fund. This project will have no net operating and maintenance costs to the General Fund.

1. TOTAL COST OF PROJECT:	
Programmatic Project Delivery Estimate* (10%)	\$1,348,000
Construction Contract	\$13,489,289
Contingency (10%)	<u>\$1,348,000</u>
TOTAL PROJECT COSTS:	\$16,185,289

* Programmatic Project Delivery Estimate includes approximately \$540,000 (4%) for design services and \$808,000 (6%) for construction management and inspection services.

2. COST ELEMENTS OF CONTRACT:

Contract Elements	Extension
Mobilization	\$73,000
Materials and Placement	\$10,544,089
Utility Adjustments	\$1,833,100
Striping/Markings	\$1,029,100
TOTAL AGREEMENT/CONTRACT AMOUNT	\$13,489,289

BUDGET REFERENCE

The table below identifies the fund and appropriation to fund the contract recommended as part of this memo.

Fund #	Appn #	Appn Name	Total Appn	Amt. for Contract	2022-23 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
498	415Y	Pavement Maintenance – Measure T Bond	\$51,433,00	\$13,489,289	1016	10/18/22, 30833
Total Current Funding Available			\$51,433.00	\$13,489,289		

COORDINATION

This memorandum has been coordinated with the City Attorney’s Office, the City Manager’s Budget Office, and the Department of Planning, Building and Code Enforcement.

PUBLIC OUTREACH

This memorandum will be posted on the City’s Council Agenda website for the May 9, 2023 City Council meeting.

To solicit contractors, this project was listed on an online bid solicitation website, Biddingo, where bid packages were made available to download for contractor organizations and builders’ exchange. When the project commences the contractor will provide advance notification regarding working hours, duration of project, and any appropriate schedule and lane closures to affected businesses and residents, as stated in the specifications.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Environmental status granted by the Planning, Building and Code Enforcement Department. Exempt, File No. ER23-009, CEQA Guidelines Section 15301(c), Existing Facilities.

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PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/
MATT LOESCH
Acting Director of Public Works

/s/
JOHN RISTOW
Director of Transportation

For questions, please contact Frank Farshidi, DOT Division Manager at (408) 794-1945.

Attachment: List of Streets

List of Streets

<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Council District</u>
BELLO AV	GEORGETTA DR	CURTNER AV	6
BIRCH ST	WILLOWHURST AV	S END	6
BIRCH ST	HAMILTON AV	WILLOWHURST AV	6
BOOKSIN AV	PEREGRINO WY	DRY CREEK RD	6
BRIARWOOD DR	MULBERRY LN	LAURELWOOD DR	6
BRIARWOOD DR	SWEETBRIAR DR	CURTNER AV	6
BRIARWOOD DR	LAURELWOOD DR	SWEETBRIAR DR	6
BRIARWOOD DR	GEORGETTA DR	MULBERRY LN	6
CABANA DR	LEIGH AVE	HURST AVE	6
CABANA DR	HURST AVE	KOCHER DR	6
CALLECITA ST	390' W/HICKS	MARQUES AV	6
CALLECITA ST	HICKS AV	390'W/HICKS	6
CAMPBELL AV	MERIDIAN AV	HURST AV	6
CEDARWOOD LN	GUNDERSON DR	MULBERRY LN	6
CHERYL WY	GEORGETTA DR	CURTNER AV	6
DORRANCE CT	DORRANCE DR	N END	6
DORRANCE DR	MARGOT PL	W END	6
EDGEWOOD WY	MARQUES AV	HICKS AV	6
GATON DR	HAMILTON AV	MERIDIAN AV	6
GEORGETTA AV	HICKS AV	MARQUES AV	6
GEORGETTA DR	MARGOT PL	BRIARWOOD DR	6
GEORGETTA DR	BOOKSIN AV	MARGOT PL	6
GLEN ELLEN WY	HICKS AV	ROBSHEAL DR	6
GUNDERSON DR	DORRANCE DR	CURTNER AV	6
JAMES PL	DRY CREEK RD	GEORGETTA DR	6
KOCHER DR	MONTEMAR AV	CAMPBELL AV	6
LAURELWOOD DR	BRIARWOOD DR	GUNDERSEN DR	6
LAURELWOOD DR	MULBERRY LN	BOOKSIN AV	6
LAURELWOOD DR	MULBERRY LN	BRIARWOOD DR	6
LENN DR	GATON AV	MERIDIAN AV	6
MARGOT PL	DRY CREEK RD	S END	6
MARINA WY	MT VERNON DR	HURST AVE	6
MARQUES AV	DRY CREEK RD	200' S/DRY CREE	6
MARQUES AV	200' S/DRY CREE	CURTNER AV	6
MCBAIN AVE	KOCHER DR	LEIGH AVE	6
MONTE CARLO WY	ARROYO SECO DR	S END	6
MONTEMAR WY	MARINA WY	KOCHER DR	6
MONTEMAR WY	KOCHER DR	HURST AV	6

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<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Council District</u>
MT VERNON DR	HURST AV	MERIDIAN AV	6
MULBERRY CR	MULBERRY LN	N END	6
MULBERRY LN	LAURELWOOD DR	BRIARWOOD DR	6
MULBERRY LN	BRIARWOOD DR	GUNDERSEN DR	6
PARKWOOD WY	CURTNER AV	GEORGETTA DR	6
PATIO DR	LEIGH AV	MERIDIAN AV	6
PEREGRINO WY	E END	DRY CREEK RD	6
ROBSHEAL DR	HICKS	PEREGRINO WY	6
SYCAMORE GLEN	DORRANCE DR	DRY CREEK RD	6
THUNDERBIRD WY	ARROYO SECO DR	S END	6
WEST CREEK DR	DRY CREEK RD	PEREGRINO WY	6
WILLOWHURST AV	350'W/MERIDIAN AV	HURST AVE	6
WILLOWHURST AV	MERIDIAN AV	350'W/MERIDIAN AV	6
ELKINS WY	NIEMAN BL	KETTMANN RD	8
SAN ANSELMO WY	SAN ANSELMO WY	N END	10
GALLUP DR	BLOSSOM HILL RD	MESA DR	10
MESA DR	ALMADEN RD	VIA MONTE DR	10
BARKWOOD WY	DRIFTWOOD DR	CASTLEMONT AV	1
BAYWOOD AV S	WESTFIELD AV	CLIFTON AV	1
BAYWOOD AV S	HUFF AV	NEAL AV	1
BAYWOOD AV S	MOORPARK AV	HUFF AV	1
BAYWOOD AV S	NEAL AV	WILLIAMS RD	1
CASTLEMONT AV	PAYNE AV	FIRESIDE DR	1
CASTLEMONT AV	BARKWOOD WY	PAYNE AV	1
CASTLEMONT AV	DRIFTWOOD DR	BARKWOOD WY	1
CENTRAL AV N	CLIFTON AV	WESTFIELD AV	1
CLIFTON AV	GENEVIEVE LN S	DANIEL WY S	1
CLIFTON AV	GREENBRIAR AV	GENEVIEVE LN S	1
CLOVER AV S	WILLIAMS RD	NEAL AV	1
COLONIAL WY	WINCHESTER BL S	E END	1
DANIEL WY S	WESTFIELD AV	ORI AV	1
DE TRACEY ST	ROSEMARY LN	DAVID AV	1
DRIFTWOOD DR	1135'E/WINCHESTER BL S	BARKWOOD WY	1
FIRESIDE DR	GREENBRIAR AV	REDOAKS DR	1
FRUITDALE AV	BAYWOOD AV S	WINCHESTER BL	1
GENEVIEVE LN S	NEAL AV	WILLIAMS RD	1
GENEVIEVE LN S	WILLIAMS RD	WESTFIELD AV	1
GENEVIEVE LN S	ORI AV	NEAL AV	1
GREENBRIAR AV	CLIFTON AV	VAN SANSUL AV	1

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<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Council District</u>
GREENBRIAR AV	PAYNE AV	CLIFTON AV	1
GREENBRIAR AV (N)	GREENBRIAR AV	E END	1
GREENBRIAR AV (S)	GREENBRIAR AV	E END	1
HUFF AV	CLOVER AV S	BAYWOOD AV S	1
HUFF AV	BAYWOOD AV S	MAGLIOCCO DR	1
MAGLIOCCO DR	WINCHESTER BL	BAYWOOD AV S	1
MERRY LN	ROSEMARY LN	DAVID AV	1
NEAL AV	MONROE AV S	CLOVER AV S	1
NEAL AV	BAYWOOD AV S	WINCHESTER BL	1
NEAL AV	CLOVER AV S	BAYWOOD AV S	1
NEET AV	GREENBRIAR AV	WALGROVE WY	1
ORI AV	DANIEL WY S	MONROE ST S	1
POMPEY DR	DAVID AV	ROSEMARY LN	1
REDOAKS DR	FIRESIDE DR	GREENTREE WY	1
REDOAKS DR	FIRESIDE DR	S END	1
ROSEMARY LN	MERRY LN	140'W/DE TRACEY ST (CITY LIMIT)	1
S CLOVER AV	NEAL AV	NEAL AV	1
S CLOVER AV	HUFF AV	NEAL AV	1
S CLOVER AV	MOORPARK AV	HUFF AV	1
TEAKWOOD DR	BARKWOOD WY	DRIFTWOOD DR	1
VAN SANSUL AV	GREENBRIAR AV	WINCHESTER BL	1
WALGROVE WY	NEET AV	GREENBRIAR AV	1
WALGROVE WY	WINCHESTER BL	NEET AV	1
WESTFIELD AV	GREENBRIAR AV	BAYWOOD AV S	1
WESTFIELD AV	30'E/LENOR WY	DANIEL WY S	1
WESTFIELD AV	REDOAKS DR	GREENBRIAR AV	1
WILLIAMS RD	GENEVIEVE LN S	DANIEL WY S	1
WILLIAMS RD	BAYWOOD AV S	GENEVIEVE LN S	6
WILLIAMS RD	WINCHESTER BL	BAYWOOD AV S	6
WOODLAWN AV	FIRESIDE DR	PAYNE AV	1
ALVERNAZ DR	MCLAUGHLIN AV	COTTERELL DR	7
ANGMAR CT	MCLAUGHLIN AV	W END	7
BAGGINS CT	MCLAUGHLIN AV	E END	7
BAYOU DR	SWALLOW DR	PITCAIRN WY	7
BEACONSFIELD RD	MCLAUGHLIN AV	MARFRANCE DR	7
BRANDYBUCK WY	TUERS RD	MCLAUGHLIN AV	7
BRODIE DR	1050'W/KAUAI DR	SINGLETON RD	7
COTTERELL DR	ALVERNAZ DR	W END	7
CRAILFORD CT	DUNDALE DR	E END	7

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<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Council District</u>
CULLODEN CT	TUERS RD	E END	7
DARRYDOON CT	WAYCROSS RD	W END	7
DUNDALE DR	ALVERNAZ DR	LIGHTLAND RD	7
ELDAMAR CT	LINDMUIR DR	E END	7
ERINWOOD CT	LINDMUIR DR	E END	7
GRANDBROOK WY	KAUAI DR	YERBA BUENA RD	7
ISENGARD CT	LINDMUIR DR	E END	7
ISENGARD DR	LINDMUIR DR	MCLAUGHLIN AV	7
KAUAI DR	YERBA BUENA RD	GRANDBROOK WY	7
KINSULE CT	DUNDALE DR	E END	7
KITCHENER CR	TUERS RD	TUERS RD	7
LANTERN CT	COACHLIGHT DR	W END	7
LIGHTFARE CT	ALVERNAZ DR	W END	7
LIGHTLAND RD	DUNDALE DR	MARFRANCE DR	7
LIGHTLAND RD	STAYNER RD	DUNDALE DR	7
MARDENE CT	STAYNER RD	N END	7
MARFRANCE DR	BEACONSFIELD RD	OAKVIEW RD	7
MARLETTE DR	LIGHTLAND RD	STAYNER RD	7
OAKVIEW RD	MARFRANCE DR	MCLAUGHLIN AV	7
STAYNER RD	MARLETTE DR	LIGHTLAND RD	7
SWALLOW DR	VERDI DR	BRODIE DR	7
THEODEN CT	MCLAUGHLIN AV	W END	7
THORNDALE CT	TUERS RD	E END	7
TIVERTON DR	LIGHTLAND RD	STAYNER RD	7
VALDOSTA RD	DUNDALE DR	MARFRANCE DR	7
VERDI DR	SINGLETON RD	SYLVANDALE AV	7
WAYCROSS RD	COTTERELL DR	ALVERNAZ DR	7
WOODYEND CT	BRANDYBUCK WY	S END	7
YERBA BUENA RD	YERBA BUENA RD	N END	7
BACHMANN CT	CURTNER AV	N END	6
CLARENCE CT	MAYKIRK RD	E END	6
CONSTITUTION CT	CONSTITUTION DR	W END	6
CONSTITUTION DR	MERIDIAN AV	KIRKMONT DR	6
CRESTMONT DR	HARRIS AV	LEIGH AV	6
DRY CREEK WY	DRY CREEK RD	KIRKMONT DR	6
GREENCREEK DR	LOMA PARK DR	LEIGH AV	6
HARRIS AV	LEIGH AV	LOMA PARK DR	6
HARRIS CT	HARRIS AV	S END	9
HERITAGE CT	HERITAGE RD	W END	6

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<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Council District</u>
HERITAGE DR	NORTHAMPTON DR	CURTNER AV	6
KENPARK CT	CRESTMONT DR	W END	6
KIRKLYN DR	HERITAGE DR	WESTMORELAND DR	6
KIRKMONT DR	GREENCREEK DR	MAYKIRK RD	6
LOMA PARK DR	GREENCREEK DR	WESTPARK AV	6
MAYKIRK CT	MAYKIRK RD	E END	6
MAYKIRK RD	KIRKMONT DR	DRY CREEK RD	6
MAYKIRK RD	MERIDIAN AV	KIRKMONT RD	6
MIRIAM CT	MAYKIRK RD	E END	6
NORTHAMPTON DR	CONSTITUTION DR	KIRKMONT DR	6
PARQUET CT	CURTNER AV	N END	9
WALDEN SQUARE DR	HERITAGE DR	HERITAGE DR	6
WESTMORELAND CT	KIRKMONT DR	W END	6
WESTMORELAND DR	WESTPARK DR	KIRKMONT DR	6
WESTPARK DR	CURTNER AV	WESTMORELAND DR	6