



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Ristow
Matt Cano

SUBJECT: SEE BELOW

DATE: May 31, 2022

Approved

Date

06/08/22

COUNCIL DISTRICT: 9 & 10

**SUBJECT: CITY ROADMAP - PAVEMENT, FIRE, EOC, TRANSIT CAPITAL
IMPROVEMENTS: 2022 LOCAL STREETS RESURFACING #5 PROJECT**

RECOMMENDATION

- (a) Approve award of a construction contract for the 10163 - 2022 Local Streets Resurfacing #5 Project to the lowest bidder, MCK Services Inc., in the amount of \$8,587,317.50.
- (b) Approve an approximate 10 percent contingency in the amount of \$858,000.

OUTCOME

Approval of this contract will provide preventive maintenance on approximately 19 miles of streets on the Local and Neighborhood Street Network in the 2022 construction season. Approval of an approximate 10 percent contingency will provide funding for any unanticipated work necessary for the proper construction and completion of the project.

BACKGROUND

The Department of Transportation (DOT) will maintain approximately 190 miles of streets on the Local and Neighborhood Street Network in the 2022 construction season. Of the 190 miles, DOT is planning to resurface approximately 135 miles of streets in poor to failed condition, supported by the third annual allocation of \$37.5 million in Measure T funds.

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 Disabilities Act curb ramps along the 135 miles of Local and Neighborhood streets planned for resurfacing. The preparation phase was included in two concrete projects previously

presented to City Council in April of 2022. The contract proposed in this memorandum will resurface approximately 19 miles of streets. Resurfacing of streets generally includes the repair or replacement of damaged pavement, application of a new layer of asphalt, and installation of new roadway striping and markings.

To decrease the overall timeframe for completing the pavement work, DOT is dividing the resurfacing projects into six separate projects; of which this project will be the fifth. A description of 2022 pavement maintenance projects was provided in an information memorandum to City Council in February 2022.

The City of San José's (City) Local and Neighborhood Street Network is organized into 135 geographically contiguous Pavement Maintenance Zones (PMZs). The PMZs 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 equity of pavement maintenance across the city. Information provided by the City's pavement management database is used to identify candidate PMZs for preventive maintenance and sealing. The final list of PMZs to receive treatments was established using the following criteria:

- Funding availability and funding use restrictions
- Streets on the Local and Neighborhood Street Network
- 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
- 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
- Multi-year geographic spread across the City and street network

In 2021, DOT added an additional criterion: equity. DOT staff cross-referenced the selected zones with census tracts designated by the Metropolitan Transportation Commission as Equity Priority Communities (EPC), formerly known as Communities of Concern, to better track equity in service delivery. Results confirmed that 287 out of 356 miles (roughly 80 percent) of local and neighborhood streets designated in EPC areas will be maintained by the end of the current three-year plan (2024). DOT anticipates completing pavement maintenance for nearly 65 percent of the Local and Neighborhood Street Network in this same timeframe.

Since 2019, DOT has maintained a total of 158 EPC miles and will be maintaining an additional 66 EPC miles in 2022, which is roughly 35 percent of the 190 miles of Local and Neighborhood streets selected for maintenance in 2022.

The attachment to this memorandum contains the list of streets to be resurfaced. The list may change if unforeseen circumstances arise or new information regarding other street-related projects becomes available.

ANALYSIS

Bids were opened on April 28, 2022 with the following results:

CONTRACTOR	CITY	BID AMOUNT	VARIANCE	% UNDER/OVER ENGINEER'S ESTIMATE
MCK Services, Inc.	Concord, CA	\$ 8,587,317.50	\$ 12,732.75	-0.15%
<i>ENGINEER'S ESTIMATE</i>	-	\$ 8,600,050.25	-	-
A Teichert & Son, Inc.	Pleasanton, CA	\$ 8,739,799.00	\$ (139,748.75)	1.62%
DeSilva Gates Construction	Dublin, CA	\$ 9,015,015.00	\$ (414,964.75)	4.83%
O'Grady Paving, Inc.	Mountain View, CA	\$ 9,024,928.50	\$ (424,878.25)	4.94%

The low bid submitted by MCK Services, Inc. is \$8,587,317.50 and is 0.15 percent below the Engineer's Estimate. The Engineer's Estimate for this project is \$8,600,050.25. The estimate is based on bids received from similar past projects and most current estimated construction prices. The bid is considered acceptable for the work involved in the project. Staff recommends that the construction contract be awarded to MCK Services, Inc., who has completed a number paving projects throughout San José. A few of which include DOT's 2019 Local Resurfacing North project, 2020 Major Streets Resurfacing project, and the 2021 LS Resurfacing #2 project. No protests were filed for this project.

San José Municipal Code Section 27.04.050 provides that the contingency for all public works contracts (except those involving the renovation of a building or buildings) cannot exceed 10 percent of the total contract amount. Staff recommends an approximate 10 percent contingency, which should be sufficient to account for unforeseen conditions that might arise in the project.

Construction is scheduled to begin in July 2022 and will be completed by October 2022.

Project Labor Agreement Applicability

A project labor agreement is not applicable to this project as more than 50 percent of the scope of the work within the project is providing street maintenance for existing infrastructure.

Local and Small Business Outreach

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 7,753 vendors and documents were downloaded by 15 vendors, approximately four of which were located within Santa Clara County and therefore local. The recommended contractor is not a local or a small business enterprise.

CONCLUSION

Based on the evaluation of bids, the low bid is considered acceptable, and staff recommends awarding the construction contract for the 2022 Local Streets Resurfacing #5 Project to MCK Services, Inc.

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 Environment Committee and the City Council.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

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. To inform traveling motorists of upcoming construction activities and potential traffic delays, changeable message signs may be used on selected streets stating the scheduled date and time for work to occur on the street. This

memorandum will be posted on the City's Council Agenda website for the June 21, 2022 City Council meeting.

COORDINATION

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

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

FISCAL/POLICY ALIGNMENT

This project supports the Transportation and Aviation Services City Service Area goal to Preserve and Improve Transportation Assets and Facilities.

COST SUMMARY/IMPLICATIONS

1. **COST OF PROJECT:**

Programmatic Project Delivery Estimate	\$858,000.00
Construction Contract	\$8,587,317.50
Contingency	<u>\$858,000.00</u>
TOTAL PROJECT COSTS:	\$10,303,317.50

2. **SOURCE OF FUNDING:** Fund 486 – 2016 VTA Measure B Fund.

3. **FISCAL IMPACT:** This project will have no net operating and maintenance costs to the General Fund.

BUDGET REFERENCE

The table below identifies the fund and appropriation proposed to fund the recommended contract award, including project delivery, construction, and contingency costs.

Fund #	Appn #	Appn Name	Total Appn	Amt. for Contract	2021-2022 Adopted Budget Page	Last Budget Action (Date, Ord. No.)
486	403Q	Pavement Maintenance – VTA Measure B 2016	\$34,320,576	\$8,587,317.50	Adopted Capital Budget Page 969	2/8/2022, 30717
Totals			\$34,320,576	\$8,587,317.50		

CEQA

Categorically Exempt, File No. PP18-029, CEQA Guidelines Section 15301(c), Existing Facilities.

/s/
JOHN RISTOW
Director, Department of Transportation

/s/
MATT CANO
Director, Public Works Department

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

Attachment – 2022 Local Streets Resurfacing #5 Project – List of Streets

List of Streets

Street Name	Street From	Street To	Council District
ALMADEN RD	KOCH LN	FOXWORTHY AV	9
AULIN DR	FOXWORTHY AV	AVALON DR	9
AVALON DR	CHERRY AV	KRING DR	9
AVALON DR	KRING DR	LANSFORD AV	9
AVALON DR	LANSFORD AV	WESTGATE AV	9
AVALON DR	WESTGATE AV	COTTLE AV	9
AVALON DR	COTTLE AV	RICHLAND AV	9
BARBARA WY	GARDENDALE DR	KOCH LN	9
BERKSHIRE DR	RICHLAND AV	GARDENDALE DR	9
BERKSHIRE DR	GARDENDALE DR	ALMADEN FRONTAGE	9
BLACKSTONE AV	JARVIS AV	PLUMMER AV	9
BLACKSTONE AV	PLUMMER AV	CHERRY AV	9
CALVARY WY	ALMADEN EX	HILLSDALE AV	9
CAMBRIDGE DR	BERKSHIRE DR	FOXWORTHY AV	9
CASTLE DR	FOXWORTHY AV	BERKSHIRE DR	9
CRESTWOOD DR	VISTAMONT DR	W END	9
FAIRCLIFF CT	FOXWORTHY AV	N END	9
GARDENDALE DR	FOXWORTHY AV	BARBARA WY	9
GARDENDALE DR	FOXWORTHY AV	HILLSDALE AV	9
GERALD WY	AVALON DR	KOCH LN	9
JEFFERY AV	LOWRY DR	PLUMMER AV	9
JEFFERY AV	PLUMMER AV	E END	9
JENKINS AV	FOXWORTHY AV	HILLSDALE AV	9
KRING DR	KOCH LN	AVALON DR	9
KRING DR	AVALON DR	S END	9
LANDSFORD AV	KOCH LN	FOXWORTHY AV	9
LOWRY DR	JEFFERY AV	BLACKSTONE AV	9
PLUMMER AV	HILLSDALE AV	FOXWORTHY AV	9
REDCLIFF DR	SEYFERTH WY	GARDENDALE DR	9
REDCLIFF DR	GARDENDALE DR	E END	9
REVERE AV	E END	PLUMMER AV	9
REVERE AV	PLUMMER AV	LOWRY AV	9
RICHLAND AV	280' S/OF KOCH LN	FOXWORTHY AV	9
RICHLAND AV	KOCH LN	280' S/OF KOCH LN	9
RUTH DR	RICHLAND AV	BARBARA WY	9
SEYFERTH WY	WILLOWMAR DR	SIERRA MAR DR	9
SEYFERTH WY	SIERRA MAR DR	REDCLIFF DR	9
SIERRA MAR DR	VISTAMONT DR	GARDENDALE DR	9
SIERRA MAR DR	GARDEN DALE DR	E END	9
SIETA CT	CHERRY AV	W END	9
SPECIALE WY	ALMADEN RD	CASTLE DR	9
TAHOE WY	AVALON DR	WHITEGATE AV	9
THRASHER LN	KOCH LN	S END	9
VISTAMONT AV	HILLSDALE AV	FOXWORTHY AV	9

Street Name	Street From	Street To	Council District
WESTGATE AV	WHITEGATE AV	KOCH LN	9
WHITEGATE AV	COTTLE AV	WESTGATE AV	9
WILLOWMAR DR	SEYFERTH WY	GARDENDALE DR	9
WILLOWMAR DR	GARDENDALE DR	E END	9
WILLOWTREE CT	CHERRY AV	W END	9
WOODMONT AV	SIERRA MAR DR	HILLSDALE AV	9
ADOBE CT	CHERRY AV	W END	9
BOYSEA DR	LONARDO AV	SILVA DR	9
CALLE DE AIDA	CALLE DE STUARD	MERIDIAN AV	9
CALLE DE ARROYO	CALLE DE STUARD	ILIKAI AV	9
CALLE DE FARRAR	BRANHAM LN	CALLE DE STUARD	9
CALLE DE LUCIA	BRANHAM LN	MERIDIAN AV	9
CALLE DE STUARDA	252'E/CALLE DE FARRAR	MERIDIAN AV	9
CALLE DE STUARDA PL	252'E/CALLE DE FARRAR	S END	9
CALLE DE TOSCA	ILIKAI AV	BRANHAM LN	9
CASA DE PONSELLE	CALLE DE FARRAR	BRANHAM LN	9
COLMERY CT	COLMERY LN	S END	9
COLMERY LN	REVOIR DR	DUGGAN DR	9
CORTE DE BOLEYN	CALLE DE STUARD	S END	9
CORTE DE CALLAS	MERIDIAN AV	S END	9
CORTE DE MEDEA	MERIDIAN AV	W END	9
CORTE DE MOFFO	CALLE DE PONSEL	E END	9
CORTE DE PONS	MERIDIAN AV	W END	9
CORTE DE TEBALDI	CALLE DE STUARDA	N END	9
COURTYARD DR	SILVA AV	JARVIS AV	9
DUGGAN DR	SILVERCREST DR	JACOB AV	9
GAUCHO CT	CHERRY AV	W END	9
GLACIER DR	JARVIS AV	JACOB AV	9
GLENCREST CT	GLENCREST DR	S END	9
GLENCREST DR	REEDHURST AV	HASTINGS AV	9
GLENCREST WY	GLENCREST DR	S END	9
HALLBROOK DR	REEDHURST AV	MERIDIAN AV	9
HANALEI PL	ILIKAI AV	S END	9
HASTINGS AV	JACOB AV	HALLBROOK DR	9
ILIKAI AV	JARVIS AV	CALLE DE FARRAR	9
ILIKAI AV	CALLE DE FARRAR	MERIDIAN AV	9
INVERNESS CR	SHERBOURNE DR N/S	420 W/O SHERBOURNE DR	9
INVERNESS CR	420 W/O SHERBOURNE DR S/S	SHERBOURNE DR	9
JARVIS CT	JARVIS AV	W END	9
JARVIS PL	JARVIS AV	W END	9
LAHAINA AV	BRANHAM LN	ILIKAI AV	9

Street Name	Street From	Street To	Council District
LONARDO AV	COURTYARD DR	BOYSEA DR	9
MONTROSE WY	SHERBOURNE DR	KIRK RD	9
NOREEN DR	KIRK RD	MERIDIAN AV	9
OELLA CT	NOREEN DR	S END	9
PETULLA CT	NOREEN DR	S END	9
REEDHURST AV	JACOB AV	HALLBROOK DR	9
RIVOIR DR	HALLBROOK DR	COLMERY LN	9
ROBB DR	BRANHAM LN	BOYSEA DR	9
SEARCY DR	LONARDO AV	SILVA AV	9
SHERBOURNE DR	ST REGIS DR	BRANHAM LN	9
SHONA CT	NOREEN DR	S END	9
SHREEN CT	MERIDIAN AV	W END	9
SILVA AV	BRANHAM LN	COURTYARD DR	9
SILVERCREST DR	RIVOIR DR	DUGGAN DR	9
ST REGIS DR	KIRK RD	E END	9
TAMPICO WY	BRANHAM LN	ILIKAI AV	9
WAIMEA CT	ILIKAI AV	W END	9
WOODSON CT	JARVIS AV	W END	9
AVENIDA ABETOS	AVENIDA ARBOLES	ENTRADA OLMOS	10
AVENIDA ALMENDROS	ENTRADA OLMOS	120'E/AVENIDA MANZANOS	10
AVENIDA ALMENDROS	120' E/AVENIDA MANZANOS	CHYNOWETH AV	10
AVENIDA ARBOLES	SNELL AV	ENTRADA CEDROS	10
AVENIDA ARBOLES	ENTRADA CEDROS	VELASCO DR	10
AVENIDA DEL ROBLE	ENTRADA CEDROS	SNELL AV	10
AVENIDA DEL ROBLE CT	AVENIDA DEL ROBLE	N END	10
AVENIDA MANZANOS	DUESENBERG DR	AVENIDA ALMENDROS	10
AVENIDA NOGALES	AVENIDA ALMENDROS	SNELL AV	10
AVENIDA PALMAS	AVENIDA DEL ROBLE	SNELL AV	10
AVENIDA PINOS	SNELL AV	AVE ALMENDROS	10
BUGATTI CT	DUESENBERG DR	E END	10
DUESENBERG DR	AVENIDA ARBOLES	CHYNOWETH AV	10
ENTRADA CEDROS	BLOSSOM HILL RD	AVENIDA ALMENDROS	10
ENTRADA OLEANDROS	AVENIDA ALMENDROS	N END	10
ENTRADA OLMOS	AVENIDA ARBOLES	AVENIDA MANZANOS	10
GIUFFRIDA AV	SNELL AV	ENTRADA CEDROS	10
GIUFFRIDA CT	GIUFFRIDA AVE	E END	10
VELASCO DR	AVENIDA ARBOLES	DON JUAN CR	10

Street Name	Street From	Street To	Council District
VELASCO DR	DON JUAN CR	ENTRADA CEDROS	10