



CITY OF SALINAS

COUNCIL STAFF REPORT

DATE: SEPTEMBER 24, 2024

DEPARTMENT: PUBLIC WORKS DEPARTMENT

FROM: DAVID JACOBS, P.E., L.S., PUBLIC WORKS DIRECTOR

THROUGH: ADRIANA ROBLES, P.E., C.F.M., CITY ENGINEER

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TITLE: CITYWIDE SIDEWALK REPAIR PROJECT PHASE II, CIP NO. 9720 CCO NO. 3

RECOMMENDED MOTION:

It is recommended that the City Council approve a resolution:

1. Authorizing the City Manager to execute Contract Change Order No. 3 to JJR Construction for the Citywide Sidewalk Repair Project Phase II, CIP No. 9720 in the amount of \$372,246.60; and
2. Approving a 10% construction contingency not identified in Resolution 22889 and an additional 12% construction contingency for a total construction contingency of 22% in the amount of \$459,571.97 for a revised not to exceed contract amount of \$2,548,535.48 to JJR Construction Inc.

EXECUTIVE SUMMARY:

On February 6, 2024, City Council approved Resolution 22889, awarding a contract to JJR Construction for the Citywide Sidewalk Repair Project Phase II, CIP No. 9720 in the amount of \$1,688,963.51 and authorizing the Interim City Manager to approve contract change orders for additional work for an amount not to exceed \$400,000. Contract Change Order No. 3 directs the contractor to install 35 pedestrian curb ramps where none existed at locations where roadway pavement was recently rehabilitated as required by Title II of the Americans with Disabilities Act (ADA).

Additional contingency is requested to fund additional potential contract change orders that were negotiated with JJR to include sidewalk repairs to address an ADA grievance and to reconnect sidewalks currently disconnected along E Romie Lane.

BACKGROUND:

On February 6, 2024, City Council approved Resolution 22889, awarding a contract to JJR Construction Inc. for the Citywide Sidewalk Repair Project Phase II, CIP No. 9720 in the amount of \$1,688,963.51 and authorizing the Interim City Manager to approve contract change orders in

an amount not to exceed \$400,000. A portion of the \$400,000 was to address corner addresses not incorporated into the Citywide Sidewalk Repair Project, Phase I project. An additional 10% of construction contingency was identified in the staff report but not in the resolution.

Title II of the Americans with Disabilities Act (ADA) requires that state and local governments ensure that persons with disabilities have access to the pedestrian routes in the public right of way. An important part of this requirement is the obligation whenever streets, roadways, or highways are *altered* to provide curb ramps where street level pedestrian walkways cross curbs. This requirement is intended to ensure the accessibility and usability of the pedestrian walkway for persons with disabilities. Alterations of streets, roads, or highways include activities such as reconstruction, rehabilitation, resurfacing, widening, and projects of similar scale and effect.¹

Over the past couple of years, the City has dedicated additional resources to improve roadway pavement conditions, dedicating both maintenance and contract work to the rehabilitation of streets. Table 1 below identifies roadways rehabilitated by City Maintenance crews that require curb ramps to allow pedestrian access to the street level.

Table 1: Pedestrian Curb Ramp Locations

Rehabilitated Street	Address	Rehabilitated Street	Address
Menlo Way	1570 Menlo Way	Sierra Madre Dr	920 Sierra Madre Dr
Menlo Way	1571 Menlo Way	Sierra Madre Dr	749 Sierra Madre Dr
Menlo Way	1535 Los Altos Way	Sierra Madre Dr	750 Sierra Madre Dr
Menlo Way	1547 Los Altos Way	Sierra Madre Dr	603 W Acacia St
Eucalyptus Dr	322 Eucalyptus Dr	Sierra Madre Dr	525 W Acacia St
Campus Ave	777 College Dr	Sierra Madre Dr	730 Sierra Madre Dr
Campus Ave	778 College Dr	Sierra Madre Dr	595 Ambrose Dr
Campus Ave	771 Lemos Ave	Pueblo Dr	407 Pueblo Dr
Campus Ave	772 Lemos Ave	Pueblo Dr	355 Pueblo Dr
Campus Ave	716 Campus Ave	Pueblo Dr	308 Pueblo Dr
Campus Ave	726 Campus Ave	Pueblo Dr	307 Pueblo Dr
Campus Ave	732 Campus Ave	Pueblo Dr	273 Pueblo Dr
Campus Ave	733 Campus Ave	Pueblo Dr	272 Pueblo Dr
Sierra Madre Dr	1053 Sierra Madre Dr	Pueblo Dr	207 Pueblo Dr
Sierra Madre Dr	1040 Sierra Madre Dr	Pueblo Dr	208 Pueblo Dr
Sierra Madre Dr	1022 Sierra Madre Dr	Pike Way	1454 Parsons Ave
Sierra Madre Dr	1019 Sierra Madre Dr	Pike Way	1450 Parsons Ave
Sierra Madre Dr	912 Sierra Madre Dr		

¹ Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing, July 8, 2013

Contract Change Order No. 3 directs the contractor to install 35 pedestrian curb ramps, identified in Table 1, where none existed following alteration of the roadway through resurfacing, as required by Title II of the ADA.

Table 2: Construction Change Order List

Description	Cost
CCO #1 - Corner Addresses	\$ 197,865.88
CCO #2 - Additional HMA	\$ 10,500.00
CCO #3 - ADA Ramps	\$ 372,246.60

Staff is seeking Council approval of Contract Change Order No. 3 to fulfill the requirements of Title II of the ADA in the amount of \$372,246. Table 2 provides a list of contract change orders. Additional funds are required to execute Change Order 3 and to address additional potential contract change orders negotiated with JJR. These include sidewalk repairs to address an ADA grievance, pursuant to the ADA Grievance Policy approved by City Council on June 22, 2021, and reconnecting sidewalks currently disconnected along E Romie Lane to allow pedestrian access.

Staff has received proposals for the above-mentioned change orders and is seeking approval of the 10% construction contingency identified in the February 6, 2024 staff report, but not identified in Resolution 22889 and an additional 12% construction contingency for a total construction contingency of 22% in the amount of \$459,571.97 for the potential change orders identified above. If approved, the new contract amount will be \$2,548,535.48. Table 3 provides a breakdown of the construction costs.

Table 3: Construction Cost Request Breakdown

Description	Cost
Original Contract Amount	\$1,688,963.51
Additional Funds Authorized per Resolution 22889	\$400,000.00
Council Approved Total - Resolution 22889	\$2,088,963.51
22% Contingency	\$459,571.97
Total Contract Amount Requested	\$2,548,535.48

CEQA CONSIDERATION:

The City of Salinas has determined that the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Section 15301(c), Class I) because the majority of the work will be maintenance of concrete sidewalks, curb and gutters.

Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions found at CEQA Guidelines Section 15300.2 as all exceptions do not relate to the project scope of work for this project.

STRATEGIC PLAN INITIATIVE:

This item relates to the Council's Goal of Infrastructure and Environmental Sustainability and Public Safety by investing in the sidewalk repair program to allow access to the roadways for people with disabilities.

DEPARTMENTAL COORDINATION:

The majority of the coordination is within the Public Works Department. The Divisions working together are the Engineering Division and Maintenance (Urban Forestry and Streets Divisions) for updates and coordination on the Sidewalk Repair request list, evaluation of tree roots, and tracking of the trees removed/replaced.

FISCAL AND SUSTAINABILITY IMPACT:

Fund	Appropriation	Appropriation Name	Total Appropriation*	Amount for recommendation	FY 24-25 CIP Budget Page	Last Budget Action (Date, Resolution)
3911	50.9720-66.4000	Capital Outlays Improvements	\$287,616.24	\$287,616.24	N/A	11/16/2021, 22250
5800	50.9720-66.4000	Capital Outlays Improvements	\$1,183,343.17	\$352,568.21	Street Maintenance/ Project No. 9720	6/11/2024, 22979

* Total appropriation includes carryover from previous year budgets.

Sufficient funds are available in the Sidewalk and Drainage Improvements budgets identified within ARPA and CIP funds (3911.50.9720 and 5800.50.9720). The requested funds will allow for the full execution of Change Order 3 and allocation of construction contingency funds to close-out the project.

ATTACHMENTS:

Resolution
CIP 9720-CCO-3 ADA RAMPS