



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: DECEMBER 7, 2021

DEPARTMENT: PUBLIC WORKS

FROM: DAVID JACOBS P.E., L.S., PUBLIC WORKS DIRECTOR
ANDREW EASTERLING, TRAFFIC ENGINEER

TITLE: ALVIN DRIVE AND LINWOOD DRIVE SAFE ROUTE TO
SCHOOL IMPROVEMENTS CIP 9219, ACCEPTANCE FOR
MAINTENANCE AND RESPONSIBILITY

RECOMMENDED MOTION:

A motion to approve a resolution that accepts the Alvin Drive and Linwood Drive Safe Route to School Improvements, CIP 9219 and Federal Project No. ATPL-5045(30), for maintenance and responsibility.

RECOMMENDATION:

Staff recommends that the City Council approve a resolution accepting Alvin Drive and Linwood Drive Safe Route to School Improvements, CIP 9219 and Federal Project No. ATPL-5045(30), for maintenance and responsibility.

BACKGROUND:

The Alvin Drive and Linwood Drive Safe Routes to School project aims to enhance the safety of all users along the East Alvin Drive (between North Main Street and Natividad Road), Linwood Drive, Chaparral Street (between Linwood Drive and Maryal Drive), and Maryal Drive by implementing complete street elements.

The design elements for the Alvin Drive and Linwood Drive Safe Routes to School project were developed and discussed over various community meeting. Staff held community meeting at Natividad Elementary School to inform members of the community about the project. Details of the Alvin Drive and Linwood Drive Safe Routes to School project are as follows:

- **Complete Streets:** Roadway restriping to reduce the number of vehicle travel lanes on East Alvin Drive from 4 lanes to 2 travel lanes and 1 center lane (turning lane) between Kip Street and Natividad Road.
- **Buffered Bike Lanes:** Installation of buffered bike lanes to provide access to an alternative mode of transportation along East Alvin Drive and Linwood Drive.
- **Traffic Signal Improvements:** The installation of a traffic signals at the intersection of El Dorado Drive at East Alvin Drive

- **Crosswalks:** This project will install high visibility crosswalks at all existing crosswalks throughout the project area.
- **American Disabilities Act (ADA) Compliance:** The existing pedestrian access ramps at selected locations will be upgraded with ADA compliant pedestrian access ramps.

Council approved the project plans and specifications and authorized the call for bids for this project by Council Resolution (No. 21783) on February 11, 2020. Bids were opened on April 21, 2020. On June 23, 2020, Council awarded the contract to Norcal Contractor in the amount of \$2,406,740.67 by Resolution (No. 21876). During construction several unforeseen conditions and unanticipated events occurred which changed the scope of work and schedule. A total of seven contract change orders were approved for this project which totaled \$303,875.06. These contract change orders increased the project cost to a total of \$2,710,615.73. The Change orders are listed below:

EXTRA WORK
ALVIN DRIVE AND LINWOOD DRIVE SRTS IMPROVEMENTS
PROJECT No. 9219 ATPL 5045 (30)

Extra Work	Description	Amount Authorized
1	Retaining Wall - Based on field observations, the dimension os of the retiaing wall designed needed to be modified to meet field conditions, specifically the wall height. Payment was by Extra Work at Agreed Lump Sum Price. No Time adjustment was warranted	\$ 24,050.00
2	The plans call to relocate the fence along Maryal Drive to install sidewalk. Based on field observations, the posts were deemed not in good condition for reuse and therefore will need to be replaced. Payment was by Extra Work at Agreed Lump Sum price. No time adjustment was warranted.	\$ 3,471.23
2-S1	The plans call to relocate the fence along Maryal Drive to install sidewalk. Based on field observations, the fence fabric to be resused is not reusable in its current condition and the existing top rail is damaged and in someplaces missing and therefore will need new fabric and top railing. Payment was by Extra Work at Agreed Lump Sum price. No time adjustment was warranted.	\$ 7,846.66
3	The project estimated a quantity of sidewalk, curb and gutter and driveway to be removed and replaced. The actural quantities installed on East Alvin increased to match actual field conditions and correct ADA concerns in the field. Compenstaion for work is by increases in contract items at the contract unit prices. No time adjustment was warranted.	\$ 93,647.83
4	The project plans were revised to include additional stripoin and elimination of striping on several sheets. Additionally plans were revised to include a separate conduit run for the PG&E service, change in meter and pedestal. Traffic signal pole was cut to clear electrical overhead wires. Payment is based on the provided schedule of values for the affected lump sum items and agreed lump sum price for the modification of the signal pole. No time adjustment was warranted.	\$ 19,662.60
5	Caltrans approved the addition of scope to this project to utilize the unused federal dollars and still be within the limits of work. The additional scope is to install 15 pedestrian curb ramps along Maryal Drive from Chaparral Drive to Elwood Drive. Compensation was at agreed lump sum price based on items bid prices associated with work. The overall agreed price included a 10% escalation price due to increased material and fuel costs since original bid. Council approved CCO on September 14, 2021	\$ 125,042.51
6	Contract to relocate sixteen street signs from traffic sing posts to traffic signal poles and mastarms. The work work was performed at five intersections. Payment was at Agreed Lump Sum price.	\$ 21,285.00
7	Final Quantities Balancing (Final Change Order Pending)	\$ 8,869.23
	EXTRA WORK TOTAL (ITEMS 1-7)	\$ 303,875.06
	CONTRACT BID AWARD	\$ 2,406,740.67
	NEW CONTRACT COST	\$ 2,710,615.73

In addition to the contract change orders several other notable changes and delays have occurred within the scope of this project. Notable additional changes to the project include, working days/contract schedule, Disadvantaged Business Enterprises (DBE) participation, and labor compliance discrepancies.

The contract established that the contractor should complete the work within 120 working days, and construction began on September 8, 2020. The project was suspended on December 21, 2021 because slurry seal could not commence until the weather becomes suitable, and work resumed on April 19, 2021. The contract was extended by 51 working days from change orders and there were 3 non-working days caused by weather. The project was deemed substantially complete on September 17, 2021. Final punch list work was completed on November 2, 2021.

Due to the Federal funding involved in this project, the application of the City's Local Hiring requirements was not allowed; however, through fair and open competition, 64% of the project's construction workforce, including subcontractor workforce, measured in labor work hours, was comprised of local hires. In addition, 16% of the project's construction workforce consisted of apprentice hours.

The Federal funding involved in this project required the contractor to meet the Disadvantaged Business Enterprise (DBE) goal of 8.388% participation, a total amount of \$201,879, and to make a good faith effort to meet a goal of 28.9% minority and 6.9% female participation. Overall, based on the Final Utilization of DBE and First Tier Subcontractors report, Norcal Contractor made a total of \$220,503.73 in participating DBE payments, and exceeded the contract commitment.

The City has actively monitored the project for compliance with the California Labor Code and contractual responsibilities. The City has issued monthly Labor Compliance Reports to Norcal Contractor identifying labor compliance discrepancies. At the time of this report, several labor compliance discrepancies have been reported to Norcal Contractor and have not been resolved. Four subcontractors are not current on their certified payroll submittals and two street-sweeping subcontractors have not submitted any certified payrolls. There is one potential underpayment by a subcontractor who has only provided the state classification and has not provided the applicable federal classification. The City issued a 60-day notice to Norcal Contractor Inc on October 28, 2021. In the event that Norcal Contractor does not rectify the Labor Compliance issues within 60 calendar days, the City will send a copy of all documentation to the Department of Industrial Relations (DIR) and the Contractor's Licensing Board (CLSB).

Following the acceptance by the City Council for maintenance and responsibility, project retention and withholdings will be released 35 days after the Notice of Completion has been filed with the County Clerk's office. Non-response by Norcal Contractor Inc may result in bids no longer being accepted for projects per Section 12-34 and 12-35 of the Municipal Code.

CEQA CONSIDERATION:

Not a Project. The City of Salinas has determined that the accepting the project for maintenance and responsibility is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant

effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

STRATEGIC PLAN INITIATIVE:

This item does not meet any specific City Council Goal.

DEPARTMENTAL COORDINATION:

The Public Works Department manages and inspect construction projects. The Public Works Department and Finance Department manage the project accounting.

FISCAL AND SUSTAINABILITY IMPACT:

This action of accepting a project for maintenance and responsibility has a cost to the City in ongoing maintenance. This project includes two new signals, and new sidewalks. Currently the estimated cost to operate and maintain a traffic signal is estimated to be approximately \$5,000 per year. Every fiscal year, the budgeted funding for signal and sidewalk maintenance typically comes from motor vehicle fuel tax and SB1 Road Maintenance Funds.

Funding for this project comes from sources below:

Funding Source	Appropriations
ATP Grant	\$2,959,000.00
Measure X	\$730,000.00
Total	\$3,689,000.00

The estimated project costs are listed below and includes Construction Engineering and Contingencies. Construction Costs:

Lowest Bid Received	\$ 2,406,740.67
Contingencies	\$ 398,259.33
Construction Engineering	\$ 362,000.00
Total Estimated Construction Costs	\$ 3,167,000.00
PS&E	\$522,000.00
Total Estimated Project Cost	\$3,689,000.00

Project change orders used the budgeted contingencies and the final construction cost was within estimated budget. The actual construction costs are listed below:

Contract Award		\$2,406,740.67
CCO 1	Retaining Wall Modifications	\$24,050.00
CCO 2	Replace Existing Fence Posts	\$3,471.23
CCO 2S1	Replace Existing Fence Fabric	\$7,846.66
CCO 3	Sidewalk Quantity Balancing Adjustment	\$93,647.83
CCO 4	Changes to Signal Service	\$19,662.60
CCO 5	Additional ADA Ramps	\$125,042.51
CCO 6	Relocate Traffic Signs	\$21,285.00
CCO 7	Final Quantity Balancing	\$8,869.23
	Change Order Sub-Total	\$303,875.06
Final Construction Total		\$2,710,615.73

Construction management services for this project were awarded to MNS Engineering, Inc in the amount of \$130,697, by Council Resolution (No. 21954). At the time of this report \$125,103.13 has been expensed under this contract. The construction management contract is expected to close within budget. Additionally, City staff has performed engineering design support, project inspection, labor compliance monitoring, contract administration, and project management for this project. At the time of this report \$206,895.93 has been charged to salaries and benefits to the project since construction began on September 8, 2020.

ATTACHMENTS:

Attachment 1: Resolution