

**2.10 Award of Contract for 10177 – 2022 Bridge Deck Treatment Project (BIC 3) (2018 Measure T).**

**Recommendation:**

(a) Report on bids and award of a construction contract for 10177 - 2022 Bridge Deck Treatment Project to the lowest responsive, responsible bidder, American Civil Constructors West Coast LLC, in the amount of \$1,467,000; and

(b) Approve a 10% contingency in the amount of \$146,700.

CEQA: Categorically Exempt, File No. ER23-009, Exempt pursuant to CEQA Guidelines Section 15301(c), Existing Facilities. Council Districts 2, 3, 4, 6 and 10. (Public Works/Transportation)



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Matt Loesch  
John Ristow

**SUBJECT:** SEE BELOW

**DATE:** January 22, 2024

Approved

Date

1/30/24

**COUNCIL DISTRICTS: 2, 3, 4, 6, 10**

**SUBJECT: AWARD OF CONTRACT FOR 10177 – 2022 BRIDGE DECK TREATMENT  
PROJECT (BIC 3) (2018 MEASURE T)**

## **RECOMMENDATION**

- (a) Report on bids and award of a contract for the construction of 10177 - 2022 Bridge Deck Treatment Project to the lowest responsive, responsible bidder, American Civil Constructors West Coast LLC, in the amount of \$1,467,000; and
- (b) Approve a 10% contingency in the amount of \$146,700.

## **SUMMARY AND OUTCOME**

This memorandum summarized the bids received and request award of a contract to American Civil Constructors West Coast LLC for the construction of the 10177 - 2022 Bridge Deck Treatment Project (BIC 3). Approval of a 10% contingency will provide funding for any unanticipated work necessary for the proper completion or construction of the project.

## **BACKGROUND**

On November 6, 2018, San José voters approved the Disaster Preparedness, Public Safety, and Infrastructure Bond Measure T, which included the authorization for the City of San José to repair deteriorating bridges vulnerable to earthquakes. Staff is implementing a delivery strategy aimed at leveraging funding opportunity called Bridge Investment Credits (BIC) which helps local agencies deliver Highway Bridge Program eligible projects with local funds and banking those credits to cover the required match funding for future Highway Bridge Program federal-aid funding projects.

Staff completed the rehabilitation work for 45 bridges as part of the previous BIC 1 and BIC 2 packages. In August 2022, staff submitted the BIC 3 application for fiscal years 2022-2023 to Caltrans and obtained approval for 12 eligible bridges.

The BIC 3 project consists of repairing 11 bridges from the approved application with one bridge being deferred to a future project due to a paving moratorium. The scope of work on the project will include, but is not limited to, traffic control, cleaning and treating existing bridge decks with methacrylate and polyester concrete overlays, repairing spalled areas of reinforced concrete, and replacing existing joint seals and railing barriers. The bridges are located in various City Council Districts within the City as shown in the attached project location map, **Attachment – Location Map - 10177-2022 Bridge Deck Treatment Project (BIC3)**

Construction is anticipated to begin in April 2024 with substantial completion in August 2024.

### **ANALYSIS**

Bids were opened on December 14, 2023, with the following results:

<b><u>Contractor</u></b>	<b><u>Bid Amount</u></b>	<b><u>Variance Amount</u></b>	<b><u>Over/(Under) Percent</u></b>
<b>Engineer's Estimate</b>	<b>\$1,086,000</b>	<b>---</b>	<b>---</b>
McCuen Construction, Inc. (Loomis) (non-responsive)	\$1,351,697	\$265,697	24%
American Civil Constructors West Coast LLC (Benicia)	\$1,467,000	\$381,000	35%
Bay Line Cutting & Coring, Inc. (San Francisco) (non-responsive)	\$1,514,650	\$428,650	39%

The bids submitted by McCuen Construction, Inc. and Bay Line Cutting & Coring, Inc. were deemed non-responsive for failing to provide the specific bidder's experience information required by the City.

The Engineer's Estimate for this project was based on the past years minor bridge repair projects. The bid submitted by the lowest responsive bidder, American Civil Constructors West Coast LLC, is 35% over the Engineer's Estimate and staff considers it reasonable due to the implementation of newer Caltrans Standards and general inflation that has affected the prices of materials, equipment, and labor for the construction work involved in the project.

American Civil Constructors West Coast LLC has completed multiple public bridge repair projects for Caltrans and the City of San José, including the previous Bridge Deck Treatment BIC 1 and BIC 2 projects.

#### *Contingency*

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

#### *Wage Theft Prevention Policy Check*

The Office of Equality Assurance reviewed bidders for compliance with the City's Wage Theft Prevention Policy on December 14, 2023 and again on January 16, 2024. No wage theft issues were identified.

#### *Project Labor Agreement Applicability*

The City's Project Labor Agreement is not applicable to this project because the Engineer's Estimate is under \$1.22 million.

#### *Local and Small Business Analysis*

The recommended contractor is not a local or a small business enterprise. In addition, none of the listed subcontractors are local or small business enterprises.

### **EVALUATION AND FOLLOW-UP**

No additional follow-up action with the City Council is expected.

### **COST SUMMARY/IMPLICATIONS**

1.	AMOUNT OF RECOMMENDATION/COST OF PROJECT:	
	Project Delivery*	\$ 532,785
	Construction	\$ 1,467,000
	Contingency	\$ 146,700
	<b>TOTAL PROJECT COSTS</b>	<b>\$ 2,146,485</b>
	Prior Cost Expenditures (through December 2023)	(\$ 99,748)
	<b>REMAINING PROJECT COSTS</b>	<b>\$ 2,046,737</b>

\*Project Delivery includes \$186,185 for design and \$346,600 for construction management and inspection services.

2. **COST ELEMENTS OF AGREEMENT/CONTRACT:**
- |   |                     |
|---|---------------------|
| Traffic Management and Public Safety Plan | \$ 89,990           |
| Bridge Rehabilitation                     | \$ 1,152,870        |
| Thermoplastic Striping and Signage        | \$ 224,140          |
| <b>TOTAL AGREEMENT/CONTRACT AMOUNT</b>    | <b>\$ 1,467,000</b> |
3. **SOURCE OF FUNDING:** 498 – Measure T - Bridges
4. **FISCAL IMPACT:** This project has no fiscal impact since the Department of Transportation has already budgeted for the operation and maintenance of the improvements.

### **BUDGET REFERENCE**

The table below identifies the fund and appropriations to fund the contract recommended as part of this memorandum and the remaining project costs, including project delivery, construction, and contingency costs.

Fund #	Appn. #	Appn. Name	Total Appn.	Amt. for Contract	2023-2024 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
498	414S	Measure T - Bridges	\$11,433,000	\$1,467,000	1002	10/17/2023 Ord. No. 30966

### **COORDINATION**

This project 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 February 13, 2024 City Council meeting.

Residents and businesses within a 500-foot radius of each bridge location will receive a notification letter twice prior to the start of construction (one week and 48 hours ahead of time) regarding construction working hours, the duration of the project, and any appropriate traffic management plans.

HONORABLE MAYOR AND CITY COUNCIL

January 22, 2024

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### **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

### **CEQA**

Categorically Exempt, File No. ER23-009, Exempt pursuant to CEQA Guidelines Section 15301(c), Existing Facilities.

### **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  
Director of Public Works

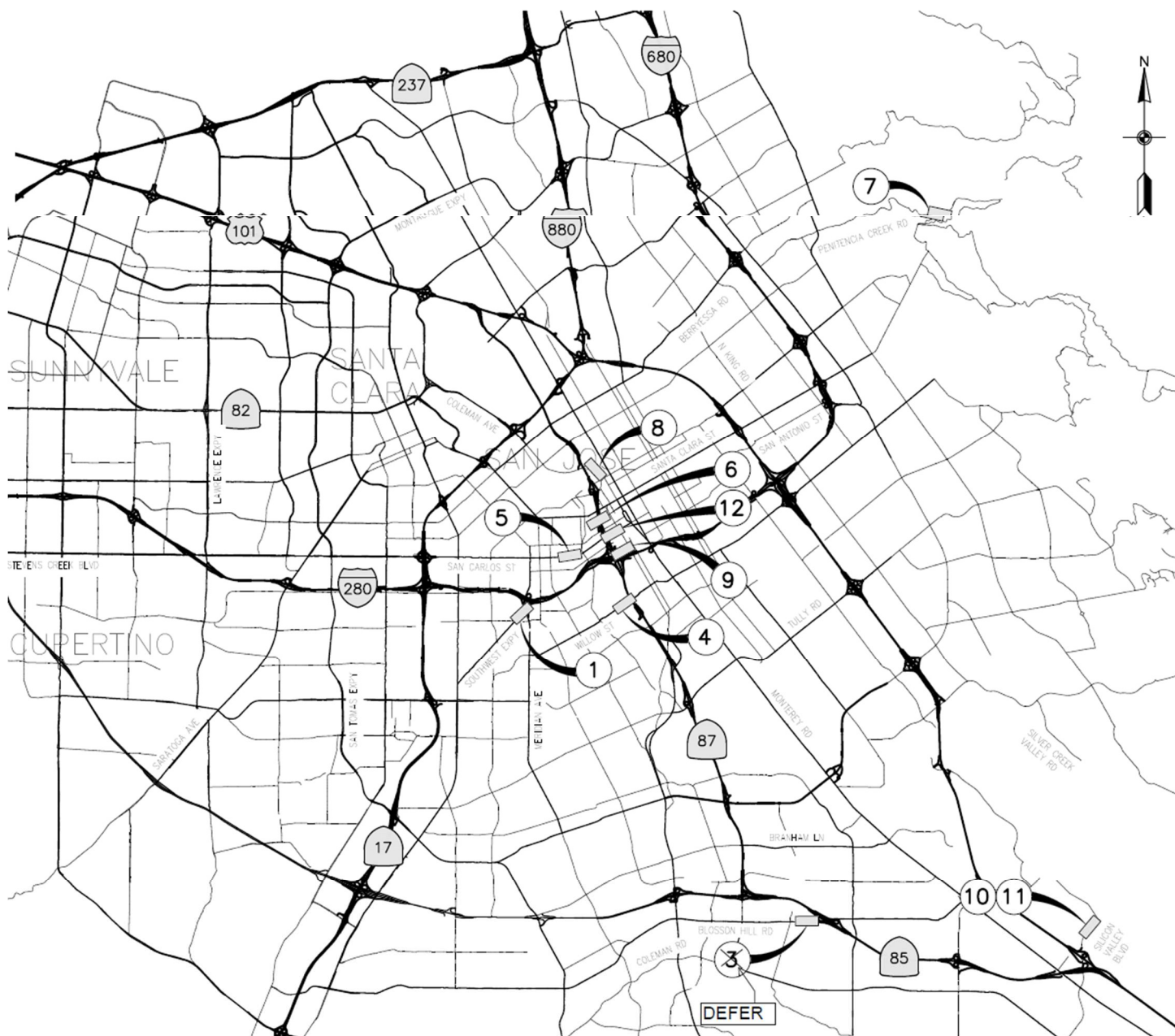
/s/  
JOHN RISTOW  
Director of Transportation

For questions, please contact Mathew Nguyen, Deputy Director, Public Works Department, at (408) 535-8300.

**ATTACHMENT:** Location Map - 10177-2022 Bridge Deck Treatment Project (BIC3)

## Location Map

### 10177-2022 Bridge Deck Treatment Project (BIC3)



#### 2022 Bridge Deck Treatment Project (BIC 3)

##### Location by Council District

CD No.	Location No.	Bridge Name	Bridge ID
2	10	Coyote Creek at Silicon Valley Boulevard	37C0412L
2	11	Coyote Creek at Silicon Valley Boulevard	37C0412R
3	4	Guadalupe River at Willow Street	37C0137
3	8	Coleman Avenue OH at Bassett St - UPRR	37C0277
3	9	Guadalupe River at Woz Way	37C0406
3	12	Guadalupe River at San Carlos Street	37C0722
3, 6	6	Guadalupe River at San Fernando Street WB under HW87	37C0203L
4	7	Upper Penitencia Creek at Penitencia Creek Road	37C0238
6	1	Merian Avenue at Southwest Expressway	37C0052R
6	5	Los Gatos Creek BOH at San Carlos Street	37C0195
10	2	Alamos Creek at McKean/ Harry Road	37C0098