

**2.11 Report on Bids and Award of Contract for the 10382 - 2024 Mabury Yard Resurfacing Project.**

**Recommendation:**

(a) Report on bids and award a contract for the construction of 10382 – 2024 Mabury Yard Resurfacing Project, to the lowest responsive, responsible bidder, Jos  ph J. Albanese, Inc., in the amount of \$1,037,700; and

(b) Approve a 10% contingency in the amount of \$103,770.

CEQA: Categorically Exempt, File No. ER23-009, CEQA Guidelines Section 15301(c), Existing Facilities. Council District 3. (Transportation/Public Works)



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** John Ristow  
Matt Loesch

**SUBJECT:** SEE BELOW

**DATE:** April 8, 2024

Approved

Date

4/17/24

**COUNCIL DISTRICT: 3**

**SUBJECT: REPORT ON BIDS AND AWARD OF CONTRACT FOR THE 10382 - 2024  
MABURY YARD RESURFACING PROJECT**

## **RECOMMENDATION**

- a) Report on bids and award a contract for the construction of 10382 – 2024 Mabury Yard Resurfacing Project, to the lowest responsive, responsible bidder, Joseph J. Albanese, Inc., in the amount of \$1,037,700; and
- b) Approve a 10% contingency in the amount of \$103,770.

## **SUMMARY AND OUTCOME**

Award of the contract to Joseph J. Albanese, Inc. enables the resurfacing and rehabilitation of the City of San José Mabury Maintenance Yard driving surface. Approval of the 10% contingency will provide funding for any unanticipated work necessary for the proper completion or construction of the project.

## **BACKGROUND**

The Mabury Maintenance Yard is a vehicle, equipment maintenance, and storage facility. Approximately 85% of the pavement at Mabury Maintenance Yard has exceeded its useful life and is deteriorating rapidly. The Department of Transportation is planning to resurface the Mabury Maintenance Yard in the 2024 construction season. Resurfacing includes the removal of three inches of damaged or degraded pavement and replacing with a new layer of asphalt, as well as installation of new roadway striping and markings.

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The Department of Transportation plans to keep the Mabury Maintenance Yard open during construction and will work to minimize impact to partner department operations. This project is necessary to prevent damage to City vehicles and ensure the safe movement of City employees at the Mabury Maintenance Yard.

The **attachment** to this memorandum contains a map of project limits and the area to be maintained. The area and limits may change if unforeseen circumstances arise.

### **ANALYSIS**

Bids were opened on March 7, 2024, 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>
Joseph J. Albanese, Inc. (Santa Clara)	\$1,037,700	(\$43,051)	(4)
Interstate Grading and Paving, Inc. (San Francisco)	\$1,050,237	(\$30,513)	(3)
G. Bortolotto & Company, Inc. (San Carlos) <i>(non-responsive)</i>	\$1,050,331	(\$30,419)	(3)
McKim Corporation (Gilroy)	\$1,060,751	(\$19,999)	(2%)
<b>Engineer's Estimate</b>	<b>\$1,080,750</b>	--	--
Radius Earthwork, Inc. (Campbell) <i>(non-responsive)</i>	\$1,112,700	\$31,950	3
MCK Services, Inc. (Concord)	\$1,158,427	\$77,677	7
Tri Valley Excavating Co., Inc. (Sunol)	\$1,186,332	\$105,582	10
O'Grady Paving, Inc. (Mountain View) <i>(non-responsive)</i>	\$1,542,531	\$461,780	43

The bids submitted by G. Bortolotto & Company, Inc., Radius Earthwork, Inc., and O'Grady Paving, Inc. were deemed non-responsive for failing to submit required California Air Resources Board Certificates of Reported Compliance for their subcontractors' vehicle fleets.

The low bid submitted by Joseph J. Albanese, Inc. is approximately 4% below the Engineer's Estimate. The bid is considered acceptable for the work involved in the project.

Joseph J. Albanese, Inc. has previously been awarded a major construction project for the City of San José. In October 2022 Joseph J. Albanese, Inc. was awarded the contract for the 8511 - McKee Road - Vision Zero Corridor Project. Construction for the project began in March 2023 and is anticipated to be substantially complete in May 2024.

#### *Contingency*

San José Municipal Code Section 7.04.050 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.

#### *Wage Theft Prevention Policy Check*

The Office of Equality Assurance reviewed bidders for compliance with the City's Wage Theft Prevention Policy on March 7, 2024 and on March 21, 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 Outreach*

The recommended contractor is a local but not a small business enterprise. No local or small business enterprises were listed as subcontractors on the project.

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

No additional follow up action with the City Council is expected at this time.

### **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 service yard will defer more costly reconstruction. The source of funding for this project is through the 395 – Service Yards Construction and Conveyance Tax Fund. This project will have no net operating and maintenance costs to the General Fund.

1. TOTAL COST OF PROJECT:

Programmatic Project Delivery Estimate	\$103,770
Construction	1,037,700
Contingency	103,770
<b>TOTAL PROJECT COSTS</b>	<b><u>\$1,245,240</u></b>

2. COST ELEMENTS OF CONTRACT:

Utility Adjustment	\$63,330
Asphalt Repair	\$131,869
New Paving	\$707,166
Thermoplastic Striping	\$80,054
Other Construction Costs	\$45,281
<b>TOTAL CONTRACT AMOUNT</b>	<b>\$1,037,700</b>

**BUDGET REFERENCE**

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

Fund #	Appn #	Appn Name	Total Appn	Amt. for Contract	2023-24 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
395	410G	Mabury Pavement Repair/Resurfacing	\$1,500,000.00	\$1,037,700	1262	6/20/2023 30933
<b>Total Current Funding Available</b>			<b>\$1,500,000</b>	<b>\$1,037,700</b>		

**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.

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## **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the April 30, 2024 City Council meeting.

## **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

## **CEQA**

Categorically Exempt, File No. ER23-009, 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 Frank Farshidi, Transportation Division Manager, at [frank.farshidi@sanjoseca.gov](mailto:frank.farshidi@sanjoseca.gov) or (408) 794-1945 or Mathew Nguyen, Deputy Director, Department of Public Works, at [mathew.nguyen@sanjoseca.gov](mailto:mathew.nguyen@sanjoseca.gov) or (408) 535-8300.

**Attachment** - Project Limits and Paving Area

**Project Limits and Paving Area**





## FW: Questions about Consent Calendar Items 2.9, 2.10, 2.11 for Council Meeting 4/30/24

City Clerk <city.clerk@sanjoseca.gov>

Mon 4/29/2024 2:55 PM

To:Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** H [REDACTED]

**Sent:** Monday, April 29, 2024 2:33 PM

**To:** City Clerk <city.clerk@sanjoseca.gov>

**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

**Subject:** Questions about Consent Calendar Items 2.9, 2.10, 2.11 for Council Meeting 4/30/24

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Hi,

I would like to know if items 2.9, 2.10, and 2.11 on the Consent Calendar can be deferred.

I am wondering why the city is buying animal food and supplies (item 2.9), and think this should be deferred since it's strange that a city is buying animal food and supplies...I would like to know more about this before it is approved.

I would also like to know more about the construction of 10108-McLaughlin Avenue-Idlewood Drive Sanitary Sewer Improvement Project (item 2.10), and 10382 – 2024 Mabury Yard Resurfacing Project (item 2.11).

Was there a fair bidding process for this project (item 2.10)? Where is the money coming from for these projects (item 2.10 and 2.11)?

I see that these projects are CEQA exempt.

How do these projects benefit the ordinary citizen in San Jose?

I would appreciate it if you could defer these items if it doesn't really help all citizens in San Jose, and until people are more informed about it.

Thanks for your time and consideration,

Ann

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