TO: Mayor and City Council
FROM: Public Works Department
SUBJECT: RESOLUTION: CURB, GUTTER, SIDEWALK AND WHEELCHAIR RAMP REPAIR PROJECT (PROJECT NO. 04-14)

RECOMMENDATION

It is recommended that a resolution be adopted approving plans and specifications and awarding a contract in the amount of $894,369 to BDS Construction, Inc., for the above project.

DISCUSSION

The City maintains approximately 720 centerline miles of streets, most of which contain curb, gutter and sidewalk. Prior to 1968, the adjacent property owner was responsible for all maintenance of the curb, gutter and sidewalk in accordance with the Streets and Highways Improvement Act of 1911. However, in 1968 the City Council revised the Stockton Municipal Code to assume responsibility for repairs to all sidewalks, curbs, and gutters in cases where the damage is caused by City-owned or controlled trees (SMC 9-0030). Since 1988, this work has been undertaken by contract.

On October 27, 1986, City Council approved a staff report recommending that highest priority be given to the repair of sidewalks, and that repairs to curbs and gutters be considered as a secondary priority. This recommendation was based on evidence that out of all reported accidents involving sidewalk, curb, and gutter, nearly all claims were for pedestrians tripping and falling on damaged sidewalks. Repairs to curb and gutter are postponed until more funding is available or all sidewalk repairs have been completed. An exception can occur when the sidewalk, curb, and gutter are one piece and separating them is not feasible or would cost more than removal and replacement as a complete unit.

Public Works receives requests for sidewalk repairs on an on-going basis from a variety of sources. Each request is evaluated to determine if repair is a City responsibility. If repairs are warranted, Public Works undertakes temporary repairs with asphalt concrete and places the location on a database for future permanent repairs. The actual amount repaired in any year is determined by the available funding in the Capital Improvement Program. There are currently more than 500 locations on this backlog list.

This contract allows for the repair of 403 locations. This scope of work was developed based on available funding, and will address the locations on the backlog list reported prior to March 3, 2004. Locations reported after March 3, 2004 will remain on the
RESOLUTION: CURB, GUTTER, SIDEWALK AND WHEELCHAIR RAMP REPAIR PROJECT (PROJECT NUMBER 04-14)

backlog list for future projects. This contract also includes installation of new wheelchair ramps at 50 locations.

On Thursday, May 27, 2004, bids were received on the above project with the following results:

BDS Construction, Chowchilla........................................ $894,369
Vanguard Construction, Oakland..................................... $919,000
Sposeto Engineering, Oakland................................. $924,900

Engineer’s Estimate............................................. $700,000

The bid submitted by BDS Construction is regular in all respects and meets the City’s specifications. They have the proper license for this work. All bids were higher than the Engineer’s estimate due to a significantly higher than expected bid cost for wheelchair ramp construction. This higher cost is due to more extensive reconstruction requirements to conform to Americans with Disability Act (ADA) guidelines.

FINANCIAL SUMMARY

$707,000 is available in account # 399-9969-640 – Sidewalk, Curb, Gutter and Wheelchair Ramps Project – for 2004-05. Once the following transfer is recorded, sufficient funds will be available to award this contract.

Transfer from:
Account # 080-9928-981.93-99 MSTRET - Street Resurfacing and Bridge Repair Program - $200,000

Transfer to:
Account # 080-9969-981.93-99 MSTRET - Sidewalks, Curbs, Gutters, and Wheelchair Ramps Project - $200,000

PREPARED BY: Vijay Sinha

Respectfully submitted,

GORDON A. MACKAY
DEPUTY PUBLIC WORKS DIRECTOR/O&M

APPROVED BY:
MARK LEWIS, CITY MANAGER
Resolution No. __________

STOCKTON CITY COUNCIL

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO BDS CONSTRUCTION, INC., A CORPORATION, IN THE AMOUNT OF $894,369 FOR THE 2004 CURB, GUTTER, SIDEWALK AND WHEELCHAIR RAMP REPAIR PROJECT (PROJECT NO. 04-14), AND TO TAKE THE NECESSARY ACTIONS TO APPROPRIATE FUNDS

WHEREAS, the City Clerk of the City of Stockton did, on May 27, 2004, open, examine and publicly declare the sealed proposals or bids offered for the 2004 CURB, GUTTER, SIDEWALK AND WHEELCHAIR RAMP REPAIR PROJECT (PROJECT NO. 04-14); now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That the plans and/or specifications and all letters of clarification contained in the bid for the 2004 CURB, GUTTER, SIDEWALK AND WHEELCHAIR RAMP REPAIR PROJECT (PROJECT NO. 04-14), are incorporated herein by reference and are hereby approved and adopted.

2. That all of said bids except that next herein mentioned are hereby rejected.

3. That said work is hereby authorized and the contract awarded to the lowest and best regular responsible bidder, to wit: BDS CONSTRUCTION, INC., a corporation, for the sum of $894,369.

4. That the City Manager of the City of Stockton is hereby authorized and directed to execute a contract on behalf of the City of Stockton with said BDS CONSTRUCTION, INC., a corporation, in accordance with the plans and/or specifications and all letters of clarification, for such work hereinabove adopted by the City Council.

5. That the City Clerk is hereby authorized to return to each of the unsuccessful bidders, the bidder's bonds, certified checks and cashier's checks which accompanied their respective bids for the above-mentioned work.

City Atty:  
Review Date: JUN 15 2004
6. That the City Manager is hereby authorized and directed to appropriate/transfer funds.

7. That the City Manager is hereby authorized and directed to take all actions necessary to carry out the purpose and intent of this resolution.

PASSED, APPROVED and ADOPTED ____________________________.

ATTEST: ____________________________

GARY A. PODESTO, Mayor
of the City of Stockton

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton

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