



## STAFF REPORT

**Date:** Tuesday, August 12, 2014  
**To:** Bryan H. Montgomery, City Manager  
**From:** Kevin Rohani, Public Works Director/City Engineer  
**SUBJECT:** **Acceptance of work associated with CIP Project No. 11 & 103 – Main Street Downtown Improvements**

Approved and Forwarded to City Council:

  
Bryan H. Montgomery, City Manager

### Introduction

The City's adopted FY 2011/12 Capital Improvement Program (CIP) Budget designates funding for various infrastructures repair and replacement projects. This is consistent with the City's goals to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

### Background and Analysis

The City Council on March 9, 2010 adopted the Downtown Specific Plan for the future development of downtown Oakley. One of the first components of the Downtown development was to reconstruct Main Street and build streetscape improvements. The scope of this project included full reconstruction of Main Street from Vintage Parkway to Norcross Avenue, construction of a new traffic signal system at the intersection of Main Street and Vintage Parkway, as well as landscaping and streetscape improvements along Main Street.

### Summary

During the design phase of this project, it was determined that by including the improvements at Oakley Plaza; which were the commercial building, parking lot reconstruction, storm drain and lighting and landscaping associated work in the Main Street improvements project, there would be economy of scale and cost savings. Part of the cost savings would be in the use of the same general contractor that would bid on the roadway project, and would have the necessary skills and trades to perform the infrastructure improvements at Oakley Plaza as well. The project design was completed and the combined construction documents advertised for bid in spring 2012. At the conclusion of the bidding period, the City Council at its meeting on June 12, 2012 awarded the construction contract to Bay Cities Paving and Grading Inc. with the construction work commencing in July 2012.

The Main Street Downtown Improvement Project was unique and complex and involved many components. The incorporation of several sets of construction documents from different designers into one cohesive and functional package was challenging. However, the construction team worked on moving the project forward by incorporating the changes and additions to the Project that evolved during the course of construction.

The construction of any public works infrastructure improvement project must follow an order and sequence from start to finish. The sequencing of each item of work is critical to the overall timely completion of the project and each step in this process can adversely impact the overall project if not executed properly. There are many factors that can impact a construction project such as: unforeseen site conditions, unfavorable weather, material availability just to name a few.

The initial phase of the Main Street Project was to construct the underground utilities which took longer than anticipated to complete due to previously unknown PG&E gas lines that were encountered during the excavation activities. The site work presented its own set of issues that had to be worked out amongst the contractor, sub-contractors, suppliers, and City construction team. This project experienced delays that could not be prevented as a result of additional tasks, out of sequence tasks, and the resolution of discrepancies between various design documents, which ultimately caused delays toward the final completion of the project. A project of this magnitude inherently creates inconveniences for the public. The construction team worked on minimizing the inconveniences to the public and merchants to the extent possible. This effort by the construction team continued until the project was substantially completed in fall 2013.

Over the past months, Staff has been working with Bay Cities Paving and Grading Inc. on final project close-out. This process has been time consuming due to the overall magnitude of the project and its various components. This project was funded by the former Redevelopment Agency funding and subsequently the Successor Agency which has its own set of regulations that we have had to adhere to and comply with. An agreement was reached between the City of Oakley and Bay Cities Paving and Grading Inc. on the outstanding items of work and project close-out.

The Main Street Improvement Project, despite its challenges and delays, has been a great addition for the Oakley community and has built the cornerstone of Downtown Oakley which will be enjoyed by the community for decades to come. While the project management was handled by a contracted project manager, lessons were learned in project management and execution which will be a valuable tool for City Staff that will help in future years on other capital projects.

### **Fiscal Impact**

This construction contract awarded by the City Council was for \$3,797,565.91. Change orders in the amount of \$2,328,360.99 were approved and the project was successfully completed at a final negotiated cost of \$6,125,926.90. The final construction cost includes not only the Main Street improvements but also the work associated with the construction of Oakley Plaza and its infrastructure.

### **Recommendation**

Staff recommends that the City Council Adopt the Resolution accepting CIP Project No. 11 and 103 – Main Street Downtown Improvements as constructed by Bay Cities Paving and Grading Inc. to be complete, and to direct the City Clerk to file a Notice of Completion for the project with the County Recorder.

### **Attachments**

- 1) Resolution
- 2) Notice of Completion

RESOLUTION NO. \_\_-14

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING AS COMPLETE THE WORK PERFORMED BY BAY CITIES PAVING AND GRADING INC. FOR CIP PROJECT NO. 11 & 103 –MAIN STREET DOWNTOWN IMPROVEMENTS**

**WHEREAS**, Mark Thomas and Company Inc. prepared plans, special provisions, and cost estimates related to CIP Project No. 11 & 103 – Main Street Downtown Improvements; and

**WHEREAS**, on June 12, 2012, by adopting Resolution No. 15-12, the City Council awarded a construction contract to Bay Cities Paving and Grading Inc., for the construction of CIP No. 11 & 103 – Main Street Downtown Improvements. Bay Cities Paving and Grading Inc. submitted the lowest responsive base bid in the amount of \$3,797,565.91; and

**WHEREAS**, during the life of the project there were twenty four approved change orders, and the final invoiced amount including approved change orders is \$6,125,926.90; and

**WHEREAS**, Bay Cities Paving and Grading Inc. has satisfied the contractual requirements necessary for the acceptance of CIP No. 11 & 103 as complete.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley that CIP Project No. 11 & 103 – Main Street Downtown Improvements is hereby accepted as complete

**BE IT FURTHER RESOLVED AND ORDERED**, that the City Clerk is hereby directed to file a Notice of Completion for CIP No. 11 & 103 with the County Recorder.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the 12<sup>th</sup> of August, 2014 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
Randy Pope, Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

PURSUANT TO GOVERNMENT  
CODE §6103 NO FEE IS REQUIRED  
FOR THE RECORDATION OF THIS  
DOCUMENT

**WHEN RECORDED MAIL TO:**

City Clerk  
City Of Oakley  
3231 Main Street  
Oakley, Ca 94561

**RECORDING REQUESTED BY:**

City Of Oakley  
3231 Main Street  
Oakley, Ca 94561

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**NOTICE OF COMPLETION**

**CIP 11 & 103 – Main Street Downtown Improvements**

NOTICE IS HEREBY GIVEN THAT:

The CITY OF OAKLEY, a political subdivision of the State of California, did, on June 12, 2012, enter into an agreement with Bay Cities Paving and Grading Inc. for construction of Capital Improvement Program Project Number 11 & 103 – Main Street Downtown Improvements.

The work described in the contract documents was to furnish all material, labor, and equipment necessary to complete CIP No. 11 & 103 – Main Street Downtown Improvements. The project limits are located on Main Street between Vintage Parkway and Norcross Avenue.

On August 12, 2014 said contract, as a whole was completed and the work was accepted by the City Council of the City of Oakley.

I hereby certify under penalty of perjury that the facts set forth in the foregoing Notice of Completion are true and correct.

Executed at Oakley, Contra Costa County, State of California, on \_\_\_\_\_.

By: \_\_\_\_\_  
Libby Vreonis, City Clerk  
City of Oakley, California