



Office of the City Manager

CONSENT CALENDAR
May 12, 2020

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront
Subject: Contract: ERA Construction, Inc. for Strawberry Creek Park Play Area and Restroom Renovation Project

RECOMMENDATION

Adopt a Resolution:

1. Approving the plans and specifications for the Strawberry Creek Park Play Area and Restroom Renovation Project, Specification No. 20-11382-C; and
2. Accepting the correction of the sum of bid items for ERA Construction, Inc.'s bid; and
3. Accepting the bid of the lowest responsive and responsible bidder, ERA Construction, Inc.; and
4. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with ERA Construction, Inc., for the Strawberry Creek Park Play Area and Restroom Renovation Project at 1260 West Street, Berkeley, CA 94702, in an amount not to exceed \$900,122, which includes a contract amount of \$782,715 and a 15% contingency in the amount of \$117,407.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the Measure T1 Fund and Parks Tax Fund, and was included in the second annual appropriations ordinance of FY2020. No other funding is required, and no other projects will be delayed due to this expenditure.

Contract funding

ERA Construction, Inc. (lowest bid).....	\$782,715
15% Contingency	\$117,407
<hr/>	
Total construction cost	\$900,122

Source of funds

Measure T1 Fund	\$385,026
(511-52-545-000-0000-000-461-663110-PRWT119011)	
Parks Tax Fund.....	\$515,096
(138-52-545-000-0000-000-461-663110-PRWT119011)	
<hr/>	
Total funding	\$900,122

CURRENT SITUATION AND ITS EFFECTS

The existing playground and restroom at Strawberry Creek Park at 1260 West Street, Berkeley, CA 94702 are in need of renovations. The project includes the renovation of the 5-12 year olds playground area, removal and replacement of the restroom facility, and improvements to other site amenities in conformance with current ADA standards.

BACKGROUND

The project was advertised for bids on Monday, March 23, 2020, and bids were opened on April 14, 2020. The City received eight bids, from a low base bid of \$787,435 to a high base bid of \$1,215,000.

Suarez & Munoz Construction, Inc. was the apparent low bidder at \$787,435. ERA Construction Inc. was the apparent 2nd lowest bidder at \$793,215. Evaluation of bids were conducted as outlined in the Project Manual, Document 00 2113 Instructions to Bidders – Paragraph 3.02 “Evaluation of Bids.” Staff found a mathematical discrepancy in the original total bid price by ERA Construction, Inc. Upon evaluating the total bid price based on bid items, it was found that the correct sum was \$782,715. Staff determined that ERA Construction, Inc. was the lowest responsive and responsible bidder. Staff conducted references checks and received satisfactory feedback. Staff recommends that a contract for this project be awarded to ERA Construction, Inc.

The Living Wage Ordinance does not apply to this project since construction contracts are, pursuant to City policy, subject to State prevailing wage laws. The contractor will need to submit a Certification of Compliance for the Equal Benefits Ordinance. The contract will be subject to the Community Workforce Agreement.

ENVIRONMENTAL SUSTAINABILITY

The construction contract includes requirements to comply with the City’s Environmentally Preferable Purchasing Policy. The project is a renovation of a developed urban site and therefore will not negatively affect natural habitat.

RATIONALE FOR RECOMMENDATION

The renovation of the existing 5-12 year olds play area and restroom facility are needed as part of the City’s ongoing program to repair, renovate, and improve accessibility at non-compliant or aging Parks facilities. The City does not have in-house labor or equipment resources to complete this renovation project.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director, Parks Recreation & Waterfront, 981-6700
Evelyn Chan, Supervising Civil Engineer, Parks Recreation & Waterfront, 981-6430

Attachments:

- 1: Resolution
- 2: Bid Results

RESOLUTION NO. ##,###-N.S.

CONTRACT: ERA CONSTRUCTION, INC. FOR THE STRAWBERRY CREEK PARK
PLAY AREA AND RESTROOM RENOVATION PROJECT

WHEREAS, the playground and restroom at Strawberry Creek Park are in need of renovation; and

WHEREAS, the City has neither the in-house labor nor the equipment necessary to undertake this project; and

WHEREAS, an invitation for bids was duly advertised on March 23, 2020, bids were opened on April 14, 2020, and the City received eight bids; and

WHEREAS, upon receipt and review of submitted bids, a mathematical error was found in ERA Construction, Inc.'s bid, which upon calculation of the corrected sum, makes ERA Construction, Inc. the lowest bid; and

WHEREAS, ERA Construction, Inc. was the lowest responsive and responsible bidder, and references for ERA Construction, Inc. were provided and checked out satisfactorily; and

WHEREAS, funding is available in the Measure T1 Fund (Fund 511), and the Parks Tax Fund (Fund 138).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specifications for Specification No. 20-11382-C for the Strawberry Creek Park Play Area and Restroom Renovation Project are approved.

BE IT FURTHER RESOLVED that the correction of the sum of bid items for ERA Construction, Inc.'s bid is accepted; and a construction contract is awarded to ERA Construction, Inc. as the lowest responsive and responsible bidder for a total contract amount of \$782,715; and

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions, or change orders until completion of the project in accordance with the approved plans and specifications with ERA Construction, Inc. for the Strawberry Creek Park Play Area and Restroom Renovation Project in an amount not to exceed \$900,122, which includes a contract amount of \$782,715 and a 15% contingency in the amount of \$117,407 for unforeseen circumstances. A record signature copy of the agreement and any amendments to be on file in the Office of the City Clerk.



City of Berkeley

Abstract of Bids Worksheet


Finance Department
General Service Division

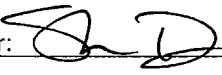
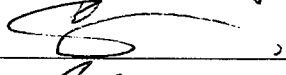
For: Strawberry Creek Park Play Area and Restroom Renovation Project

Specification#: 20-11382-C

Bid Date:

	Bidders	BB	Ad	Base Bid	Nuc Free	Work Force Comp	Opp. States	Living Wage	EBO
1	SPOSETO	✓	✓	\$939,560. ⁰⁰					
2	ERA Construction, Inc.	✓	✓	\$793,215. ⁰⁰					
3	Suarez + Munoz Con. Inc.	✓	✓	\$787,435. ⁰⁰					
4	CF Contracting, Inc.	✓	✓	\$1,098,800. ⁰⁰					
5	Cazadoro Const. Inc.	✓	✓	\$981,000. ⁰⁰					
6	Bay Construction Co.	✓	✓	\$986,200. ⁰⁰					
7	Redwood Engineering Const.	✓	✓	\$838,933. ⁰⁰					
8	Sahoo Inc.	✓	✓	\$1,215,000. ⁰⁰					
9									
10									

Bid Recorder: DARRYL SWEET 4/14/20 

Bid Opener:  4/14/20 

Project Manager: Isaac Carnegie 4/14/20 