

1 **RESOLUTION NO. 2023-54**

2
3 **A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING**
4 **THE CITY MANGER TO AWARD CONTRACT NO. C23-26 IN A**
5 **NOT-TO-EXCEED AMOUNT OF \$1,360,000 TO BAY CONSTRUCTION CO.**
6 **FOR THE CONSTRUCTION OF PHASE IV OF THE LOWER CODORNICES**
7 **CREEK RESTORATION PROJECT, EXECUTE CONTRACT NO. C23-46 IN A**
8 **NOT-TO-EXCEED AMOUNT OF \$155,000 TO ZOON ENGINEERING FOR**
9 **CONSTRUCTION MANAGEMENT SERVICES, AND APPROPRIATE**
10 **ADDITIONAL FUNDS FOR THE PROJECT**

11 **WHEREAS**, the City of Albany has partnered with the City of Berkeley and the
12 University of California since the late 1990s to restore the portion of lower Codornices Creek
13 between San Pablo Avenue and the train tracks as a vital riparian habitat and a resource to the
14 community; and

15 **WHEREAS**, in November 2020, the City Council approved Resolution No. 2020-108,
16 adopting the FY2019/20 – 2023/24 Capital Improvement Plan and appropriating funds for the
17 first three fiscal years of the Plan, including \$620,000 in Measure R Landscape and Lighting
18 Assessment District (LLAD) 1996-1 funding for the Lower Codornices Creek Restoration
19 Project (CIP No. 22000); and

20 **WHEREAS**, in December 2020, the City Council approved Resolution No. 2020-123,
21 authorizing submission of the Phase IV project for consideration for funding as part of the
22 Alameda County Transportation Commission’s 2022 Comprehensive Invesment Plan; and

23 **WHEREAS**; in 2021, City staff received notification that funding had been awarded to
24 the Phase IV Project in the sum of \$826,000 in combined Alameda County Measure B and
25 State Transportation Fund for Clean Air (TFCA) transportation dollars; and

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27 **WHEREAS**, in October 2021, the City Council approved Resolution No. 2021-97,
28 accepting the \$826,000 award and authorizing City staff to administer the grant; and
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2 **WHEREAS**, in August 2022, City staff reviewed the Phase IV project site and concluded
3 that an updated survey and revised plan set for Phase IV is necessary to reflect current
4 conditions; and

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6 **WHEREAS**, in April 2023, Restoration Design Group updated the plans and
7 specifications for Phase IV to reflect current conditions; and

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9 **WHEREAS**, on April 17, 2023, the City Council authorized staff to advertise Phase IV
10 of the Lower Codornices Creek Restoration Project (Resolution No. 2023-19); and

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12 **WHEREAS**, on June 14, 2023, the City received and opened three bids for the above-
13 mentioned project; and

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15 **WHEREAS**, Bay Construction Co. is the lowest responsible and responsive bidder for
16 the construction of Phase IV of the Lower Codornices Creek Restoration Project.

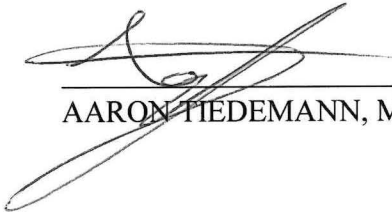
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18 **NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby authorizes
19 the City Manager to award Contract No. C23-26 to Bay Construction Co. to construct Phase
20 IV of the Lower Codornices Creek Restoration Project in the not-to-exceed amount of
21 \$1,360,000; and

22
23 **BE IT FURTHER RESOLVED**, that the City Council hereby authorizes the City
24 Manager to execute Contract No. C23-46 with Zoon Engineering to provide construction
25 management services for the not-to-exceed amount of \$155,000; and

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27 **BE IT FURTHER RESOLVED**, that the City Council hereby appropriates \$90,000
28 from Measure B Bicycle & Pedestrian Funds (1102) and \$182,000 in Measure BB Bicycle and
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1 Pedestrian Funds (1202), and increases the project budget for Phase IV of the Lower
2 Codornices Creek Restoration Project (CIP No. 43001) accordingly.

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AARON TIEDEMANN, MAYOR



City of Albany

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RESOLUTION NO. 2023-54

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 17th day of July, 2023, by the following votes:

AYES: Council Members Hansen-Romero, Jordan, López, Miki and Mayor

Tiedemann

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

18th day of July, 2023.

Anne Hsu
CITY CLERK