

**CITY OF ALBANY  
CITY COUNCIL AGENDA  
STAFF REPORT**

Agenda Date: September 5, 2023  
Reviewed by: NA

**SUBJECT:** Annual Street Rehabilitation Program (CIP No. 21000) –  
2022 Pavement Rehabilitation Project (C22-30) Project Completion

**REPORT BY:** David Lam, Associate Engineer  
Allison Carrillo, CIP Program Manager  
Devora Zauderer, Public Works Program Manager  
Mark Hurley, Public Works Director/City Engineer

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**SUMMARY**

Construction of the 2022 Pavement Rehabilitation Project is complete. Staff recommends that Council authorize the City Manager to approve the final contract change order (CCO) to Contract No. C22-30, accept the construction, and file the Notice of completion. The change order recommended for approval is within the existing appropriated Annual Street Rehabilitation Program budget, and no budget adjustments are needed at this time.

**STAFF RECOMMENDATION**

That the Council adopt Resolution No. 2023-62, authorizing the City Manager to:

1. Approve Contract Change Order #2 to Contract No. C22-30;
2. Accept the improvements completed in Contract No. C22-30; and
3. File the Notice of Completion with the County Recorder's Office.

**BACKGROUND**

The City of Albany currently maintains 30 centerline miles of roads representing over five million square feet of pavement. In November 2020, Council approved the five-year Capital Improvement Plan (Resolution No. 2020-108), and appropriated budget for the first three fiscal years of the plan, including the Annual Street Rehabilitation Program (CIP No. 21000).

On October 17, 2022 the City Council awarded Contract No. C22-30 in the amount of \$1,998,381.00 to Bay Cities Paving and Grading, Inc. to construct the 2022 Pavement Rehabilitation Project (Project; Resolution No. 2022-105). The Project consists of pavement rehabilitation, asphalt grinding, base repair, and other improvements for curb ramp and storm drains. Additionally, on December 5, 2022, the City Council awarded CCO1 in the amount of \$115,965.00 to add additional pavement patch repairs and install rainbow crosswalks at two Solano Avenue intersections (Resolution No. 2022-128).

**DISCUSSION**

The Contractor completed the work in Contract No. C22-30, including:

- Removal and replacement of between 2 to 4 inches of HMA at the 6 Project locations
- Full depth (8 to 12 inches) asphalt replacement and grading at intersections
- ADA (American Disability Act) compliant curb ramp installations
- Striping refresh and curb paint
- 8,102 square feet of pavement patching
- 2 rainbow crosswalk installations at Solano and Cornell and Solano and Talbot

Included in this report is CCO2, which includes additional base repair work, repaving, and Evelyn Avenue curb and gutter improvements. CCO2 tabulates all necessary project adjustments and final quantities. The total additional amount requested to close out Contract No. C22-30 is \$115,900.99 for a final contract amount of \$2,230,246.99.

**ENVIRONMENTAL CLEARANCE**

This project is categorically exempt from CEQA (California Environmental Quality Act) pursuant to CEQA Guidelines Section 15301 “Existing Facilities” of the CEQA Guidelines, which exempts the repair, maintenance, and minor alteration of streets, sidewalks, pedestrian crossings, and street trees.

**SUSTAINABILITY CONSIDERATIONS**

This Project has the sustainability benefit of achieving bicycle mode share goals and improving accessibility at certain intersections by providing ADA accessible crossings, thereby promoting non-motorized travel and reducing air emissions.

**FINANCIAL CONSIDERATIONS**

The budget for the first three years of the City’s Annual Street Rehabilitation Program (CIP No. 21000) was appropriated by Council as part of the City’s Capital Improvement Plan as adopted on November 16, 2020 (Resolution No. 2020-108). This budget has since been amended to appropriate additional funds for FY23 (including Resolution Nos. 2023-26, 2023-55).

| <b><u>Funding Sources</u></b> | <b><u>Budget</u></b> |
|-------------------------------|----------------------|
| 1101 – Meas B LSR             | \$1,570,000          |
| 1104 – VRF                    | \$180,000            |
| 1201 – Meas BB LSR (ACTC)     | \$2,700,000          |
| 2006 – Meas F Street & Storm  | \$5,400,000          |
| 2009 – State SB-1/RMRA        | \$1,943,543          |

|                        |                     |
|------------------------|---------------------|
| 1405 – CDBG            | \$96,574            |
| <b>Appropriations:</b> | <b>\$11,900,117</b> |

The following table details the project expenditures for the 2022 Pavement Rehabilitation Project.

| <b>Project Budget</b>                                    | <b>Amount</b>         |
|--|-----------------------|
| Base Contract C22-30                                     | \$1,998,381.00        |
| CCO1 (Patch Paving & Rainbow Crosswalks)                 | \$115,965.00          |
| Proposed CCO2 (Additional Base Repair and Curb & Gutter) | \$115,900.99          |
| <b>Total Budget</b>                                      | <b>\$2,230,246.99</b> |

As of August 25, 2023, the City has either spent or encumbered approximately \$10.25 million of the total appropriated Annual Street Rehabilitation Program budget to date. This includes the base Contract No. C22-30 for Bay Cities and CCO1 as noted above. The proposed closeout CCO2 is within remaining appropriated budget for the program and no adjustments to the program budget are recommended at this time.

**Attachments**

1. Resolution No. 2023-62
2. Contract Change Order #2 to Contract No. C23-30 with Bay Cities
3. Notice of Completion

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**RESOLUTION NO. 2023-62**

**A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING  
THE CITY MANAGER TO ACCEPT THE IMPROVEMENTS COMPLETED  
IN THE 2023 PAVEMENT REHABILITATION PROJECT (C22-30),  
EXECUTE CLOSEOUT CHANGE ORDER #2 TO THE CONTRACT, AND  
AUTHORIZING STAFF TO FILE THE NOTICE OF COMPLETION**

**WHEREAS**, the City of Albany maintains 30 miles of public streets and roadways, with an overall pavement condition index (PCI) of 56 as calculated by the Metropolitan Transportation Commission (MTC); and

**WHEREAS**, the Annual Street Rehabilitation Program (CIP No. 21000) is included in the Capital Improvement Plan adopted in November 2020, and reflects the City’s commitment to ongoing investment into improving and maintaining City street conditions, including the Citywide PCI, on an annual basis; and

**WHEREAS**, on October 17, 2022 the City Council authorized the award for the 2022 Pavement Rehabilitation Project Contract No. C22-30 to Bay Cities Paving and Grading, Inc. for pavement rehabilitation and other improvements within the City (Resolution No. 2022-105); and

**WHEREAS**, on December 5, 2022, the City Council awarded Contract Change Order #1 in the amount of \$115,965.00 to add additional pavement patch repairs and install rainbow crosswalks at two Solano Avenue intersections (Resolution No. 2022-128); and

**WHEREAS**, a final contract change order is necessary for adjustments to final quantities and for additional drainage improvements and base repair work at project locations; and

**WHEREAS**, Contract Change Order #2 to Contract No. C22-30 increases the contract amount by \$115,900.99 for a final contract total of \$2,230,246.99; and

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**WHEREAS**, there is sufficient budget remaining in the appropriated budget for the Annual Street Rehabilitation Program for this change order, and no additional budget appropriations are recommended at this time; and

**WHEREAS**, the project is now complete and a Notice of Completion is required to be filed with the County Recorder’s Office.

**NOW, THEREFORE, BE IT RESOLVED**, that the Albany City Council hereby authorizes the City Manager to accept the improvements completed in the 2022 Pavement Rehabilitation Project (Contract No. C22-30), execute Change Order #2 to Contract No. C22-30 with Bay Cities Paving and Grading, Inc. in the amount of \$115,900.99, and authorizes staff to file the Notice of Completion with the County Recorder’s Office.

\_\_\_\_\_  
AARON TIEDEMANN, MAYOR

**CONTRACT:** 2022 Pavement Rehabilitation Project  
**Contract No. C22-30**

Page 1 of 1  
August 18, 2023

**CONTRACTOR:** Bay Cities Paving & Grading, Inc.

*You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on your contract.*

**DESCRIPTION OF WORK**

*Additional pavement repair at locations with base failure due to exceptionally wet winter as well as curb and gutter repair for drainage improvements at Evelyn Avenue. Additional closeout items are included, such as repair of Ohlone Greenway pavement at Portland Ave intersection and striping restoration at the repaired locations.*

We, the undersigned contractor, have given careful consideration to the contract change(s) and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

By reason of this change the contract completion time will be extended by **0** working days from the commencement date given in the Notice to Proceed with Change Order work.

**Contractor:**  
Date Accepted: 8/21/23

By:   
*Daniel Rodriguez, Area Manager*

**STATEMENT OF ACCOUNT**

|                          |                     |
|--------------------------|---------------------|
| Original Contract Price: | \$1,998,381.00      |
| Previous Change Orders   | \$115,965.00        |
| Total to date            | \$2,114,346.00      |
| <b>This Change Order</b> | <b>\$115,900.99</b> |
| Revised Contract Price   | \$2,230,246.99      |
| Contract Price Change    | +5.5%               |

**City of Albany:**  
Date Approved: \_\_\_\_\_

By: \_\_\_\_\_  
Nicole Almaguer, City Manager

NOTE: This change order is not effective until approved by the City Manager



**2022 ALBANY PAVING (FINAL ACCOUNTING)**

updated 5/27/23

| Ticket #           | Date Performed | Description                                     | Review Status        | Status   | Cost                 |
|--------------------|----------------|---|----------------------|----------|----------------------|
| None               | 2/1/23         | EXTRA CONCRETE AT JACKSON RAMP                  |                      |          | \$ 1,099.19          |
| 80343              | 5/3/23         | DETAIL BIKE PATH AT PORTLAND / MASONIC          | APPROVED FOR PAYMENT | APPROVED | \$ 2,671.00          |
| 72619              | 5/8/23         | DEMO 150' LF C&G ON EVELYN                      | APPROVED FOR PAYMENT | APPROVED | \$ 4,988.78          |
| 80331              | 5/9/23         | DEMO 150' LF C&G ON EVELYN                      | APPROVED FOR PAYMENT | APPROVED | \$ 8,807.59          |
| 80122              | 5/10/23        | DEMO 150' LF C&G ON EVELYN                      | APPROVED FOR PAYMENT | APPROVED | \$ 6,203.42          |
| 80123              | 5/11/23        | SOIL STABILIZATION AT WASHINGTON / CARMEL       | VOID                 | viod     | \$ -                 |
| R-80123            | 5/11/23        | REVISED SOIL STABILIZATION AT WASHINGTON/CARMEL | APPROVED FOR PAYMENT | APPROVED | \$ 13,361.72         |
| 79783              | 5/12/23        | AC PAVING AT BASE FAILURE AREAS                 | VOID                 | void     | \$ -                 |
| R-79783            | 5/12/23        | REVISED - AC PAVING AT BASE FAILURE AREAS       | APPROVED FOR PAYMENT | APPROVED | \$ 53,903.38         |
| 79942              | 5/13/23        | MOB EQUIPMENT - BAY CITIES                      | APPROVED FOR PAYMENT | APPROVED | \$ 3,206.42          |
| 79942(1)           | 5/13/23        | MOB EQUIPMENT - BAY CITIES                      | APPROVED FOR PAYMENT | APPROVED | \$ 153.21            |
| 79943              | 5/17/23        | STRIPING AT PAVEMENT REPAIR LOCATIONS           | APPROVED FOR PAYMENT | APPROVED | \$ 4,087.71          |
| 1675-10            | 5/10/23        | FORM / POUR 150' LF C&G ON EVELYN               | APPROVED FOR PAYMENT | APPROVED | \$ 12,765.43         |
| 1675-11            | 5/11/23        | STRIP FORMS / CLEAN UP ON EVELYN                | APPROVED FOR PAYMENT | APPROVED | \$ 989.04            |
| <b>Total EWB'S</b> |                |   |                      |          | <b>\$ 112,236.89</b> |

| ITEMS TO CORRECT FROM PREVIOUS ESTIMATES |   | UNITS | COST    |                      |          |                    |
|--|---|-------|---------|----------------------|----------|--------------------|
| ITEM #23                                 | REMOVE 160 SY (ADD TO ITEM #24)         | -160  | \$ 9.00 | APPROVED FOR PAYMENT | APPROVED | \$ (1,440.00)      |
| ITEM #24                                 | ADD 1440 SF (PREVIOUSLY UNDER ITEM #23) | 1440  | \$ 4.00 | APPROVED FOR PAYMENT | APPROVED | \$ 5,760.00        |
| <b>TOTAL ITEMS</b>                       |   |       |         |                      |          | <b>\$ 4,320.00</b> |

EWB'S \$ 112,236.89  
 ITEMS \$ 4,320.00  
**FINAL AMOUNT \$ 116,556.89**

**\$655.90 remaining existing contract**  
  
**\$116,556.89 - \$655.90 =**  
**\$115,900.99 requested on CCO2**



**Recorded at the request of:**  
CITY OF ALBANY

**When Recorded, Mail to:**  
City Clerk  
City of Albany  
1000 San Pablo Avenue  
Albany, CA 94706

(Space Above for Recorder's Use)

## NOTICE OF COMPLETION AND ACCEPTANCE OF PUBLIC WORK

Notice is hereby given by the City of Albany, a municipal corporation, located in Alameda County, State of California, with its principal offices at City Hall, 1000 San Pablo Avenue, Albany, CA 94706, of the following:

That it has caused the construction and installation of the following described public work upon the following described real property; and the furnishing of all labor, materials, methods or processes, implements, tools, machinery, equipment, transportation, and services necessary to accomplish same, to wit:

**Contract No. C22-30, 2022 Pavement Rehabilitation Project**, including, but not limited to, 30,000 square yards of pavement rehabilitation, road base repair, patch paving, between 2 to 4 inches of hot-mix asphalt paving, curb and driveway repairs, 14 curb ramps, pavement markings and striping, intersection curb paint, and two rainbow crosswalk installations.

That the said City of Albany is in possession of said real property and owns a fee simple estate or an easement for public use therein.

That said work was done in accordance with plans and specifications therefore approved and adopted by said City of Albany, and said work was done pursuant to a public works contract dated October 17, 2022, duly awarded by said City of Albany to Bay Cities Paving and Grading, Inc., 1450 Civic Ct. #400, Concord, CA 94520, and was accepted by the City Council of the City of Albany as complete on September 5, 2023.

That the undersigned certifies that he is authorized to and does make this verification on behalf of the City of Albany; that he has read the foregoing notice and knows the contents thereof; and that the undersigned declares under penalty of perjury that the foregoing is true and correct to the best of his knowledge.

Executed on \_\_\_\_\_, at Albany, California.

CITY OF ALBANY  
A Municipal Corporation

By:

\_\_\_\_\_  
Mark Hurley  
Public Works Director  
City of Albany