

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

Agenda date: June 20, 2005
Preparation Date: June 13, 2005
Reviewed by _____

SUBJECT: Call for Bids and Award of Contract for Lower Codornices Creek Restoration, Phase II – Contract 05-05.

FROM: Barry Whittaker Project Manager
Ann Chaney, Community Development Director
Judy Lieberman, Assistant City Administrator

RECOMMENDATION

Authorize the City Clerk to invite bids, and authorize the City Administrator to award a contract not to exceed \$1,000,000 for Lower Codornices Creek Restoration – Phase II, Contract 05-05.

BACKGROUND

This project is undertaken with the cooperation of the City of Berkeley and the University of California (University Village), with Albany taking the lead role. After some years of preparation, acquisition of grants, and finally design, an initial phase of this project was undertaken on Codornices Creek from the UPRR on the west to 5th Street on the east. The basic creek channel and flood plain construction was accomplished last year, before the October 15, 2004 deadline to be out of the creek. Installation of a prefabricated 82' long footbridge and associated trail construction is currently underway, with the bridge being delivered and set in place on June 13, 2005.

The plan for Phase II has been to start at 5th Street and proceed easterly to as far as 8th Street. However, three unresolved right of way issues remain on the south side of the creek within the boundaries of this proposed project. Easements are needed from three private property owners in Berkeley for the reach between 5th Street and 6th Street, and an Easement is needed from the U.S. Postal Service, also within Berkeley, for the 6/7th Street to 8th Street reach.

DISCUSSION

At the time this report is written we remain uncertain as to the magnitude of the Phase II project on which we will call for bids. The basic project proposed as Phase II starts at 5th Street and extends to 7th Street extended (i.e., west boundary of site improvements of the US Postal Service DDU facility at 8th and Harrison Streets, Berkeley.)

Due to this uncertainty, the plans have been designed to allow the project to stop at 6th Street, or

to extend to 7th Street (extended), depending upon bid prices. However, whether going to 6th or 7th Street, this version of the project requires easements not yet acquired. The City of Berkeley has its Right of Way personnel working on acquiring the necessary easements between 5th and 6th Streets. To proceed easterly from 6th Street will require easements from the US Postal Service, with whom Albany staff is currently working to produce a mutually acceptable contract for the easement dedication and associated USPS improvements.

If the City of Berkeley has the easements in hand before no later than June 24, it is our intent to solicit bids for the 5th to mid-6th Street project. If the easements are not in hand by this time, the recommendation will be to wait until next summer to proceed with construction for this phase. Right-of-way issues on the north side of the creek (University Village) up to 7th Street extended have been resolved with UC. Significant obstacles remain between 7th and 8th Street (Child Care Center, Maintenance Building) will still need to be resolved before the project can extend to 8th Street.

FINANCIAL IMPACT

The City has obtained an \$815,000 Coastal Conservancy Grant for this segment. An additional \$85,000 is remaining from the DWR grant. Additional Measure R funds (\$100,000) are also available, if needed, depending upon the extent of this phase of the project. The engineer's estimate of cost for the full 5th to 8th Street Phase II project is \$1,200,000. If the construction cost estimates prove accurate, it is expected that reducing the limits to the 5th to mid-6th Street project will bring the project budget into affordability with the available funds.

Due to the high cost of the project, additional grant funds will be sought to fund the remaining sections of the creek. The City will apply for a State of California River Parkway grant in the upcoming fiscal year. This will allow the project to complete the upcoming summer/fall construction phase and to have final construction documents, secured rights of way for the remainder of the north side of the creek, and a more robust cost estimate for the remaining project.