City of FRESNO **REPORT TO THE CITY COUNCIL**

AGENDA ITEM NO.
COUNCIL MEETING
APPROVED BY
DEPARTMENT DIRECTOR
CITY MANAGER

May 1, 2007

FROM: JON R. RUIZ, Interim Director
Public Works Department

BY: SCOTT KRAUTER, PE, Assistant Director
Public Works Department

SUBJECT:
1. ADOPT AMENDMENT TO THE ANNUAL APPROPRIATIONS RESOLUTION NO. 2006-253 APPROPRIATING $3,694,300 FOR THE WIDENING OF HERNDON AVENUE BETWEEN WEBER AND POLK AVENUES
2. AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF $3,255,675.14 TO DAVE CHRISTIAN CONSTRUCTION CO., INC. FOR THE WIDENING OF HERNDON AVENUE BETWEEN WEBER AND POLK AVENUES

KEY RESULT AREA

Customer Service, KRA Code 0101001000

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt Amendment to the Annual Appropriations Resolution No. 2006-253 appropriating $3,694,300 for the widening of Herndon Avenue between Weber and Polk Avenues.

2. Authorize the Public Works Director to award a construction contract in the amount of $3,255,675.14 to Dave Christian Construction Co., Inc. for the widening of Herndon Avenue between Weber and Polk Avenues.

EXECUTIVE SUMMARY

The Public Works Department is prepared to widen Herndon Avenue between Weber and Polk Avenues from two lanes to four with a median divider between Bryan and Hayes Avenues. This project will construct two new eastbound lanes and reconstruct/resurface the existing two-way traffic lanes and convert them to westbound travel lanes. Dual left turn lanes will be added for northbound traffic at Hayes and for westbound traffic on Herndon at Hayes and at Polk Avenue. Traffic signals at Bryan, Hayes and Polk Avenues will be modified to accommodate the widening project. Street landscaping will also be installed along the new proposed median divider and along the north side of Herndon for approximately 800 feet west of Polk Avenue.

Staff recommends that the attached resolution be approved to appropriate $3,694,300, and that a construction contract in the amount of $3,255,675.14 be awarded to Christian Construction Co., Inc. to widen Herndon Avenue between Weber and Polk Avenues.

KEY OBJECTIVE BALANCE

This project best balances the three Key Objectives of Customer Satisfaction, Employee Satisfaction and prudent Financial Management. The design goal of this project is to improve traffic safety and traffic flow by adding travel lanes to this heavily traveled east-west major corridor. The result will be improved traffic efficiency on Herndon and reduced traffic congestion, ensuring Customer Satisfaction. Employee Satisfaction is derived from completion of this very vital project. Financial Management objectives are achieved from award of contract to the lowest responsive and responsible bidder. This project is located within the boundaries of City Council District 2.

BACKGROUND

At the request of Brian Calhoun, Councilmember District 2, the Public Works Department initiated the formal bid process for the widening of Herndon Avenue between Weber and Polk Avenues. This project proposes to widen Herndon Avenue from two lanes to four with a median divider between Bryan and Hayes Avenues. This will be accomplished by constructing two new eastbound lanes and reconstructing/resurfacing the existing two-way traffic lanes and converting them to westbound travel lanes. When completed, the project will improve traffic flow and safety to this segment of Herndon Avenue.

A Notice Inviting bids was published in the Business Journal on February 12, 2007, posted on the City's Website and faxed to eleven building exchanges. The specifications were distributed to twenty three prospective bidders. Eight sealed bid proposals were received and opened in the public bid opening on March 15, 2007. The bid proposal prices ranged from $3,255,675.14 to $4,732,657.07.

All Federal guidelines have been followed for this Federally funded project. The City will be reimbursed $2,137,113 of the construction costs from a Federal grant. The City will also be reimbursed for certain improvements along Herndon by the Central Unified School District (CUSD). The City has a cost sharing agreement with CUSD for street improvements along the south side of Herndon Avenue adjacent to the school property. Improvements include the median divider from approximately 250 feet east of Hayes Avenue to CUSD's westerly property line. CUSD was required to construct certain improvements as a condition opening their new elementary and middle school on Palo Alto Avenue west of Hayes Avenue. Some of the completed improvements may have been part of the cost sharing agreement. Staff will be working with CUSD to quantify the completed CUSD improvements and determine the amount remaining to be reimbursed to the City with this project.

Dave Christian Construction Co., Inc. submitted the lowest bid in the amount of $3,255,675.14. The contract amount is 28.3% below the Engineer's Estimate and considered a responsive and responsible bidder. The staff determination was posted on the City's website on April 17, 2007.

The City Council may:

A. Adopt staff's recommendation, which would:

1. Adopt Amendment to the Annual Appropriations Resolution No. 2006-253 appropriating $3,694,300 for the widening of Herndon Avenue between Weber and Polk Avenues.

2. Award a construction contract in the amount of $3,255,675.14 to Dave Christian Construction Co., Inc. for the widening of Herndon Avenue between Weber and Polk Avenues.

The project will be completed within one hundred (100) working days from the date of the Notice to Proceed, or

The Council may reject all bids. If all bids are rejected, the project will be rebid resulting in a delay of approximately sixty (60) days. A delay in awarding a construction contract may result in Federal Highway Administration (FHWA) de-obligating the Federal Transportation Improvement Program (FTIP) funds for this project from this year's spending plan.

FISCAL IMPACT

See attached Fiscal Impact Statement. Staff is working with Fresno Council of Governments (COG) to allow reimbursement from Measure C, Urban Tier 1 funds.

JRR/SK/LS/eam
Award Const Contract Wid Herndon bet Weber-Polk 5-1-07

Attachments: Bid Evaluation Proposal
Fiscal Impact Statement
Resolution

EVALUATION OF BID PROPOSALS

FOR: HERNDON AVENUE WIDENING FROM WEBER TO POLK

Bid File No. 2637
Bid Opening: March 15, 2007

	BIDDER'S	Bid Amount
1.	Dave Christian Construction Co., Inc. 2233 S Minnewawa Fresno CA 93727	$3,255,675.14
2.	Teichert Construction (Fresno District) 13281 Golden State Blvd. Kingsburg Ca 93631	$3,342,991.40
3.	Emmett's Excavation, Inc. 1477 Menlo Ave. Clovis CA 93611	$3,447,811.45
4.	Henderson Construction 2100 N Winery #104 Fresno CA 93703	$3,616,757.00
5.	American Paving Co. PO Box 4348 Fresno CA 93744	$3,694,400.60
6.	Granite Construction Company PO Box 50085 Watsonville CA 95077-5085	$3,705,241.00
7.	Papich Construction Co., Inc. 3685 Fruitvale Ave. Bakersfield CA 93308	$3,924,355.60
8.	Bush Engineering, Inc. 518 N. Redington St. Hanford CA 93230	$4,732,657.07

EVALUATION OF BID PROPOSALS

FOR: HERNDON AVENUE WIDENING FROM WEBER TO POLK

Bid File No. 2637
Bid Opening: March 15, 2007

Each bidder has agreed to allow the City sixty-two (62) days from date bids are opened to accept or reject their bid proposal. Purchasing requests that you complete the following sections and return this bid evaluation to the Purchasing Division at the latest by Wednesday, April 11, 2007, 5:00 P.M.

The Engineer's Estimate/Budget Allocation for this expenditure is $ 4,546,912 . The contract price is 28.3 % below the Engineer's Estimate/Budget Allocation. If the overage is greater than 10% or only one bid was received, give explanation:

BACKGROUND OF PROJECT (To be completed by Evaluating Department/ Division. Explain need for project/equipment):

This project will improve the traffic operating service level on Herndon between Weber and Polk Avenue by constructing two additional eastbound through lanes and converting the existing two-way traffic lanes to westbound through traffic lanes. Project will also add dual left turn lanes for northbound and westbound traffic at Hayes and Herndon and modify the traffic signals at Bryan, Hayes and Polk Avenue. Landscaping will also be installed on along the new proposed median island on Herndon Avenue between Bryan and Hayes and along the north side of Herndon west of Polk Avenue for approximately 800 feet.

DEPARTMENT CONCLUSIONS AND RECOMMENDATION:

[X] Award a contract in the amount of $3,255,675.14
to Dave Christian Construction Co., Inc. as the lowest responsive and responsible bidder.

Remarks:

[ ] Reject all bids. Reason:

EVALUATION OF BID PROPOSALS

FOR: HERNDON AVENUE WIDENING FROM WEBER TO POLK

Bid File No. 2637
Bid Opening: March 15, 2007

Department Head Approval

M.T. Kunz

Title ASST. DIR

Date 4/11/07

[X] Approve Dept. Recommendation

[ ] Disapprove

[ ] See Attachment

[ ] Approve GSD/Purchasing Recommendation

[ ] Disapprove

GENERAL SERVICES DEPARTMENT

Janet Smith 4/11/07
Purchasing Manager Date

CITY MANAGER

4/12/07
City Manager or Designee Date

4/12/07.
Director Date

FISCAL IMPACT STATEMENT

PROGRAM: PW00191 – Herndon Avenue, Weber to Polk Avenue

RECOMMENDATION	TOTAL OR CURRENT	ANNUALIZED COST
Direct Cost	$3,625,675.14	
Indirect Cost		
TOTAL COST	$3,625,675.14	
Additional Revenue or Savings Generated		
Net City Cost		
Amount Budgeted (If none budgeted, identify source)	$3,625,675.14	

Remarks:

Construction Contract:	$3,255,675.14
Construction Contingency:	$225,000.00
Construction Engineering:	$120,000.00
Project Management/Admin:	$25,000.00
Total Construction cost:	$3,625,675.14

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO ADOPTING THE 76th AMENDMENT TO THE ANNUAL APPROPRIATION RESOLUTION NO. 2006-253 TO REBUDGET PROJECT FUNDS OF $1,750,500 FROM PRIOR YEARS; RECOGNIZE ADDITIONAL MEASURE C REVENUE OF $600,000; APPROPRIATE $450,700 IN DEVELOPER CONTRIBUTIONS; AND RECORD A LOAN OF $893,100 IN UGM FEES TO FUND HERNDON AVE WIDENING FROM POLK TO WEBER

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO:

THAT PART III of the Annual Appropriation Resolution No. 2006-253 be and is hereby amended as follows:

	Increase/(Decrease)
TO: PUBLIC WORKS DEPARTMENT	
Prop. 111 - Special Gas Tax	$ 1,546,000
Measure C Capital	600,000
Misc. Paving & Improvements	450,700
UGM Traffic Signal	204,500
UGM Major Street Zone B	200,000
UGM Major Street Zone D1/E-2	150,000
UGM Major Street Zone E-4	225,700
UGM RR Cross/At Grade Zone A/D	117,400
UGM Major Bridge Zone C/D-2	200,000
UGM Major Street Zone C/D-2	893,100

THAT account titles and numbers requiring adjustment by this Resolution are as follows:

Prop. 111 - Special Gas Tax

Revenues:

Account: **33114** Federal Reimbursement	$ 1,546,000
Fund: **20102**	
Org Unit: **189901**	
Total Revenues	$ 1,546,000

Appropriations:

Account: **51101** Permanent Salaries	$ 80,100
53402 Specialized Services/Tech	11,900
56116 Material & Parts - Equipment	21,400
57507 Contract Construction	1,287,000
59102 City Attorney Charges	5,000
59105 Purchasing - Variable Charge	35,900
59117 Overhead	104,700
Fund: **20102**	
Org Unit: **189901**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 1,546,000

	Increase / (Decrease)
Measure C Capital	
Revenues:	
Account: **30101** Transfer from Fund Balance	$ 100,000
31302 Measure "C" Revenue	500,000
Fund: **22502**	
Org Unit: **189901**	
Total Revenues	$ 600,000
Appropriations:	
Account: **57507** Contract Construction	$ 600,000
Fund: **22502**	
Org Unit: **189901**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 600,000
Misc Paving and Improvements	
Revenues:	
Account: **30101** Transfer from Fund Balance	$ 150,700
33901 In-Lieu Fees	300,000
Fund: **30102**	
Org Unit: **189901**	
Total Revenues	$ 450,700
Appropriations:	
Account: **57507** Contract Construction	$ 450,700
Fund: **30102**	
Org Unit: **189901**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 450,700
UGM Traffic Signal Fund	
Revenues:	
Account: **30101** Transfer from Fund Balance	$ 204,500
Fund: **31578**	
Org Unit: **185001**	
Total Revenues	$ 204,500
Appropriations:	
Account: **57507** Contract Construction	$ 204,500
Fund: **31578**	
Org Unit: **189901**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 204,500

	Increase / (Decrease)
UGM Major Street Zone B	
Revenues:	
Account: **30101** Transfer from Fund Balance	$ 200,000
Fund: **31517**	
Org Unit: **185001**	
Total Revenues	$ 200,000
Appropriations:	
Account: **58620** Loans Within City	$ 200,000
Fund: **31517**	
Org Unit: **185001**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 200,000
UGM Major Street Zone D-1/E-2	
Revenues:	
Account: **30101** Transfer from Fund Balance	$ 140,000
34854 UGM Developer Contributions	10,000
Fund: **31519**	
Org Unit: **185001**	
Total Revenues	$ 150,000
Appropriations:	
Account: **58620** Loans Within City	$ 150,000
Fund: **31519**	
Org Unit: **185001**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 150,000
UGM Major Street Zone E-4	
Revenues:	
Account: **30101** Transfer from Fund Balance	$ 137,100
34854 UGM Developer Contributions	88,600
Fund: **31522**	
Org Unit: **185001**	
Total Revenues	$ 225,700

	Increase / (Decrease)
Appropriations:	
Account: **58620** Loans Within City	$ 225,700
Fund: **31522**	
Org Unit: **185001**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 225,700

UGM RR Cross/At Grade Zone A/D

Revenues:	
Account: **30101** Transfer from Fund Balance	$ 117,400
Fund: **31564**	
Org Unit: **185001**	
Total Revenues	$ 117,400
Appropriations:	
Account: **58620** Loans Within City	$ 117,400
Fund: **31564**	
Org Unit: **189901**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 117,400

UGM Maj Bridge Fee Zone C/D-2

Revenues:	
Account: **30101** Transfer from Fund Balance	$ 200,000
Fund: **31533**	
Org Unit: **185001**	
Total Revenues	$ 200,000
Appropriations:	
Account: **58620** Loans Within City	$ 200,000
Fund: **31533**	
Org Unit: **185001**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 200,000

	Increase / (Decrease)
UGM Major Street Zone C/D-2	
Revenues:	
Account: **39303** Loan Proceeds (Within City)	$ 893,100
Fund: **31518**	
Org Unit: **185001**	
Total Revenues	$ 893,100
Appropriations:	
Account: **57507** Contract Construction	$ 893,100
Fund: **31518**	
Org Unit: **189901**	
Project ID: **PW00191**	
KRA: **0101001000**	
Total Appropriations	$ 893,100

THAT the purpose is to rebudget project funds of $1,750,500 from prior years; recognize additional Measure C revenue of $600,000; appropriate $450,700 in developer contributions; and record a loan of $893,100 in UGM fees to fund Herndon Ave widening from Polk to Weber. The loan will be funded by the various UGM funds as indicated above, but will be spent out of UGM Major Street Zone C/D-2 for Project (PW00191), Herndon Street widening. The net expenditure associated with this loan transactions will be $893,100.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF FRESNO } ss.
CITY OF FRESNO }

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the _____ Day of _____, 2007

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2007
Mayor Approval/No Return: _____, 2007
Mayor Veto: _____, 2007
Council Override Veto: _____, 2007

REBECCA E. KLISCH
City Clerk

_____