



**BAY AREA TOLL AUTHORITY**  
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## ***Memorandum***

TO: BATA Oversight Committee

DATE: September 5, 2018

FR: Executive Director

W. I. 1251

RE: Contract Contingency Increase – I-580 Richmond-San Rafael (RSR) Bridge Access Improvement Project -Construction Package “A” Eastbound Third Lane and Point Molate Bicycle/Pedestrian Path: O.C. Jones and Sons, Inc. (\$750,000)

This item would authorize a contract contingency increase for the O.C. Jones and Sons, Inc. (O. C. Jones) contract in an amount not to exceed \$750,000 to complete the remaining construction and close out the I-580 Richmond-San Rafael Bridge Access Improvement Project (the Project) – Construction Package A.

### **Background**

The Project’s objective is to reduce congestion and travel time on eastbound I-580, including the Richmond-San Rafael (RSR) Bridge, by providing a third eastbound peak period use lane (PPUL) during the afternoon peak travel period. The Project will also improve pedestrian and bicycle travel adjacent to the I-580 corridor by constructing a barrier-separated path connection from the Tewksberry/Standard Avenue Intersection near Point Richmond to Stenmark Drive near Point Molate.

The construction of the bicycle-pedestrian path in Richmond and the PPUL is continuing. It is anticipated that the Bay Trail bicycle-pedestrian path in Richmond and the path across the Richmond-San Rafael Bridge will open in February 2019. The most significant risk to the February 2019 opening date is related to a 16-inch East Bay Municipal Utility District (EBMUD) water line. While the portion of water line in question is not in physical conflict with the proposed improvements, EBMUD has not consented to measures proposed to protect this facility in place and an unplanned relocation to lower the line may be needed. This Project significantly reduced traffic congestion in the eastbound direction earlier this year with the opening of the PPUL in April.

This request is to replenish project contingency funding, which has been depleted by change orders (described below).

### **Contractor Selection Process**

On August 23, 2016, BATA issued an Invitation for Bid (IFB) for the Project. BATA held a mandatory Bidders’ Conference on August 31, 2016, during which staff provided project information and answered questions. In addition, BATA’s Small Business Enterprise (SBE) Program was described. Bids which utilized at least 40% SBE participation received a five percent reduction in bid price, solely for the purpose of determining the lowest responsive bidder.

Part 2 of the IFB, Paragraph 14. Basis of Award provided: “Award, if made, will be to the lowest responsible and responsive Bidder, based on the Total Contract Price.”

On November 1, 2016, five bids were received and opened at the public bid opening and are presented in the following table:

Bidder	Location	Total Contract Price	SBE Bid Preference	SBE Bid Preference Amount	Bid Rank
O.C. Jones and Sons, Inc.	Berekeley, CA	\$27,277,840	No	\$27,277,840	1
Ghilotti Construction Co.	Santa Rosa, CA	\$28,788,961	Yes	\$27,349,513	2
Bay Cities Paving & Grading	Concord, CA	\$29,778,027	No	\$29,778,027	3
Gordon N. Ball	Alamo, CA	\$32,788,816	Yes	\$31,149,375	4
Ghilotti Bros	San Rafael, CA	\$36,987,101	No	\$36,987,101	5

This Committee approved the award to O. C. Jones on November 9, 2016. When the \$27,277,840 contract was awarded this Committee also approved a contract contingency in an amount of \$5,601,176. The combined not to exceed contract authorization amount totaled \$32,879,016.

### Summary

This proposed increase to the contract contingency would allow for the completion of the work that started under the construction agreement that resulted from the August 23, 2016 IFB competitive procurement. A number of work items have changed or increased in quantity that required contract change orders. Those change orders have utilized the majority of the original contract contingency. Some of the larger changes have included: the replacement of I-580 concrete median barrier in Marin County (\$758,737), Lane Use Sign System ethernet network design/construction (\$659,076) and upgrade of Large Variable Message Sign (\$254,636). The changes to date have reduced the project contingency to an amount that will not be adequate to complete the additional work items that are anticipated for this contract. An additional contingency of \$750,000 is suggested to cover any unplanned changes through completion.

Attachment A includes a summary of O. C. Jones' and its project team's small business and disadvantaged business enterprise status.

### Recommendation

Staff recommends that this Committee authorize an additional project contingency of \$750,000 to be used at the Executive Director or his designee's discretion to complete construction of the I-580 Richmond-San Rafael Bridge Access Improvement Project – Package A.

  
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Steve Heminger

SH:cjl  
Attachment

**Attachment A**  
**Small Business and Disadvantaged Business Enterprise Status**

Firm Name	Role on Project	DBE* Firm			SBE** Firm		
		Yes	If Yes, List #	No	Yes	If Yes, List #	No
OC Jones & Sons, Inc.	General Contractor						X
Bridgeway Civil Contractors	Subcontractor				X	2001253	
Statewide Traffic Safety & Signs	Subcontractor						X
SBD Vanguard	Subcontractor						X
Bleyco	Subcontractor						X
Oliveira Fence	Subcontractor				X	23017	
Midstate Barrier	Subcontractor						X
Bayline Curring and Coreing	Subcontractor				X	22512	
Avar Construction	Subcontractor						
Central Striping	Subcontractor				X	20572	
Piazza Construction	Subcontractor				X	27545	

## REQUEST FOR COMMITTEE APPROVAL

### Summary of Proposed Contract Contingency Increase

Work Item No.:	1251
Contractor:	O.C. Jones and Sons, Inc.
Work Project Title:	Construction Agreement between BATA and O.C. Jones and Sons, Inc. for the construction of the I-580 Richmond-San Rafael Bridge Access Improvement Project – Package A.
Purpose of Project:	The Project's objective is to reduce congestion and travel time on eastbound I-580 including the Richmond-San Rafael (RSR) Bridge by providing a third eastbound lane during peak travel periods. The project will also provide pedestrian and bicycle travel along the I-580 corridor by constructing a barrier separated path connection to Point Molate.
Brief Scope of Work:	The project's scope of work includes constructing retaining walls, pavement widening, ramp reconstruction, utility relocations, modifying drainage systems, median barrier reconstruction, traffic operations systems, traffic signal modifications, pavement delineation, overhead dynamic message signs, roadside signs, highway lighting and various other related improvements.
Project Cost Not to Exceed:	Original: \$27,277,840, plus a contingency of \$5,601,176 This contract contingency increase: \$750,000 Total contract contingency: \$6,351,176
Funding Source:	Toll Bridge Rehabilitation Program Funds
Fiscal Impact:	Funds are included in the FY 2018-19 Toll Bridge Rehabilitation Program Budget.
Motion by Committee:	That the contract contingency for the contract with O.C. Jones and Sons, Inc. for the construction of the I-580 Richmond-San Rafael Bridge Access Improvement Project – Package A, is increased by \$750,000 as described above and in the Executive Director's memorandum dated September 5, 2018, and the Chief Financial Officer is directed to set aside funds in the amount of \$750,000 for such additional contract contingency.
BATA Oversight Committee:	<hr/> Amy R. Worth, Chair
Approved:	Date: September 12, 2018