

# Bay Area Toll Authority Oversight Committee

May 8, 2019

Agenda Item 3b

## **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. (\$1,500,000)**

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**Subject:** 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 \$1,500,000 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 bicycle-pedestrian path in Richmond is currently under construction. It is anticipated that the Bay Trail bicycle-pedestrian path in Richmond and the path across the RSR Bridge will be ready to open in late summer 2019. The most significant risk to the path opening date is still related to the 16-inch East Bay Municipal Utility District (EBMUD) water line that is to be placed underneath the bicycle pedestrian path that is currently under construction. EBMUD completed a temporary bypass line of their original water line on March 26, 2019. EBMUD will still need to complete their permanent waterline and remove the temporary bypass line prior to opening the path. This is the only significant schedule risk that has been identified at this time.

This Project significantly reduced traffic congestion in the eastbound direction last year with the opening of the PPUL in April 2018. The remaining path improvements are needed to replace a bicycle access that was eliminated by the construction of the PPUL.

This request is to replenish project contingency funding which has been depleted by change orders. A number of original contract bid items increased in quantity which required contract change orders. Those change orders have utilized the majority of the current contract contingency. The largest changes subsequent to the September 2018 contract amendment include additional costs associated with the EBMUD water line relocation and plan revisions associated with that work. Those changes total approximately \$1.4 million. The total project changes required have reduced the project contingency to an amount that will not be adequate to complete the additional work items anticipated for this contract. An additional contingency of \$1,500,000 is recommended to cover the additional changes.

**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.

BATA's Small Business Enterprise (SBE) Program was described in the IFB. 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.

On November 1, 2016, five bids were received and opened at the public bid opening with O.C. Jones bid being the lowest.

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. That contingency amount was subsequently increased by \$750,000 pursuant to this Committee's authorization in September 2018.

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 \$1,500,000 to be used at the Executive Director or designee's discretion to complete construction of the I-580 Richmond-San Rafael Bridge Access Improvement Project – Package A.

**Attachments:** Attachment A – Contractor Selection Process and Small and Disadvantaged Business Enterprise Status; and Request for Committee Approval Sheet – Summary of Proposed Contract Contingency Increase



Therese W. McMillan

**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. Berkeley, CA
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 Previous contract contingency increase: \$750,000 This contract contingency increase: \$1,500,000 Total contract contingency: \$7,851,176
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 \$1,500,000 as described above and in the BATA Oversight Committee Summary sheet dated May 8, 2019, and the Chief Financial Officer is directed to set aside funds in the amount of \$1,500,000 for such additional contract contingency.
BATA Oversight Committee:	<hr/> Amy R. Worth, Chair
Approved:	Date: May 8, 2019