



Office of the City Manager

CONSENT CALENDAR
May 9, 2023

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront
 Subject: Contract No. 32200098 Amendment: ERA Construction, Inc. for the O&K Docks Electrical Upgrade Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No. 32200098 with ERA Construction, Inc. for the O&K Docks Electrical Upgrade Project by adding \$138,000 for a total not-to-exceed contract amount of \$1,338,000.

FISCAL IMPACTS OF RECOMMENDATION

Funding in the amount of \$138,000 for this amendment is available in the FY 2023 budget in the CIP Fund (Fund 501). No other funding is required, and no other projects will be delayed due to this expenditure.

CURRENT SITUATION AND ITS EFFECTS

The contract with ERA Construction, Inc. for the O&K Docks Electrical Upgrade Project was executed on November 2, 2021 for a total amount not to exceed \$1,200,000 (Resolution No. 69,951-N.S.).

During construction, unforeseen conditions required that additional work and equipment be performed and procured, such as changes to National Electrical Code for marine environment electrical ground fault protection, increase in prevailing wage rates due to pandemic related electrical component supply chain delays, and additional equipment mounting surfaces in need of replacement. The City has negotiated these change orders with ERA Construction, Inc. This work was not included in the original contract scope, but is necessary to complete the project and to meet the latest building codes for electrical safety.

BACKGROUND

On April 21, 2021, the O&K Docks Electrical Upgrade Project was advertised for competitive bids. On May 18, 2021, two (2) bids were received. Staff reviewed the bid results and the Contractor's references, and determined that the bid from ERA Construction, Inc. was the lowest responsive and responsible bidder. A contract with

ERA Construction, Inc. for the O & K Docks Electrical Upgrades Project was executed on November 2, 2021 for a total amount not to exceed \$1,200,000 (Resolution No. 69,951-N.S.)

The electrical systems at O & K Docks at the Berkeley Marina have exceeded their lifespan and need replacement. The electrical systems will be upgraded to current building and safety codes and the load rating at O-Dock will be upgraded from 600AMP to 800AMP to accommodate future demands at the Marina.

This project includes the following components: new dock-mount utility pedestals for electrical and potable water connections with central computerized communication systems and integrated lighting, new dock boxes, new conductor wires, new dock-mount power station (transformers), and new onland switchboard enclosures.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The construction contract includes requirements to comply with the City's Environmentally Preferable Purchasing Policy. The work will also comply with the conditions contained in the Bay Conservation Development Commission (BCDC) Permit, and City of Berkeley Building Permit.

RATIONALE FOR RECOMMENDATION

The City and ERA Construction, Inc. have negotiated a price within the City's budget to address these unforeseen conditions. This increase to the contract is necessary to complete current change orders. The City does not have the in-house labor or equipment resources to complete these construction activities.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director, Parks Recreation & Waterfront, (510) 981-6700
Nelson Lam, Supervising Civil Engineer, PRW, (510) 981-6395

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 32200098 AMENDMENT: ERA CONSTRUCTION, INC. FOR THE
O & K DOCKS ELECTRICAL UPGARE PROJECT

WHEREAS, the existing electrical systems at O and K Docks at the Berkeley Marina have exceeded their lifespans and need to be replaced; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this construction work; and

WHEREAS, an invitation for bids was duly advertised on April 21, 2021, and bids were opened on May 18, 2021, and the City received two bids; and

WHEREAS, ERA Construction, Inc. was the lowest responsive and responsible bidder, and references for ERA Construction, Inc. were provided and checked out satisfactorily; and

WHEREAS, a contract with ERA Construction, Inc. for the O & K Docks Electrical Upgrades Project was executed on November 2, 2021 for a total amount not to exceed \$1,200,000 (Resolution No. 69,951-N.S.); and

WHEREAS, an increase of \$138,000 to the not-to-exceed contract amount is necessary to complete change orders; and

WHEREAS, funds are available in the FY 2023 budget in the CIP Fund (Fund 501).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32200098 with ERA Construction, Inc. for the O & K Docks Electrical Upgrade Project, increasing the contract amount by \$138,000, for a total amended amount not to exceed \$1,338,000. A record signature copy of any amendments to be on file in the Office of the City Clerk.

