



Legislation Details (With Text)

**File #:** ID 23-714      **Version:** 1      **Name:**

**Type:** Action Item      **Status:** Passed

**File created:** 4/28/2023      **In control:** City Council

**On agenda:** 5/11/2023      **Final action:** 5/11/2023

**Title:** Reject all bids for the Fresno Street and Browning Avenue Intersection Improvements Project - Bid File 12301325 (Council District 4)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 23-714 Vicinity Map, 2. 23-714 Bid Evaluation

Date	Ver.	Action By	Action	Result
5/11/2023	1	City Council	APPROVED	Pass

**REPORT TO THE CITY COUNCIL**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**BY:** RANDALL W. MORRISON, PE, Assistant Director  
Public Works Department, Engineering Division

SCOTT P. SEHM, PE, Public Works Manager  
Public Works Department, Design Section

**SUBJECT**

Reject all bids for the Fresno Street and Browning Avenue Intersection Improvements Project - Bid File 12301325 (Council District 4)

**RECOMMENDATION**

Reject all bids for the Fresno and Browning Intersection Improvement Project.

**EXECUTIVE SUMMARY**

Staff recommends that the City Council reject all bids for the Fresno Street and Browning Avenue Intersection Improvement Project. Upon rejection of all bids, staff will immediately work to rebid the project.

The proposed Fresno Street and Browning Avenue Traffic Signal Improvement Project will enhance safety for the motorists, cyclists, and pedestrians who travel through this intersection every day by signaling the existing intersection, as well as correcting accessibility deficiencies. The scope of

work includes the construction of a new traffic signal system that will provide a protected crossing for pedestrians, reconstruct existing ramps to make them ADA-compliant, and install green paint within the bicycle conflict zones. Right of way was acquired by city staff for relocation of existing utilities. The project is funded by the federal Active Transportation Program (ATP) and SB1 Road Maintenance and Rehabilitation Account (RMRA) funds.

## **BACKGROUND**

This ATP grant-funded project is meant to address safety concerns for pedestrians, including students, parents, and staff from Robinson Elementary School, as well as residents of the senior-living apartments fronting Fresno Street, who cross at Browning Avenue using the existing unsignalized painted crosswalk. The design phase of the project was initiated in the Spring of 2020, shortly after the California Transportation Commission (CTC) approved funding for the project. The preliminary engineering design and project management took approximately three years and was completed in-house by City of Fresno staff.

The scope of the project at Fresno Street and Browning Avenue includes the installation of a traffic signal to provide a protected pedestrian movement, and protected left turn phasing for motorists. This project will also upgrade pedestrian facilities to meet current accessibility requirements, place green paint along the bikeways along Fresno Street to make conflict areas more visible, install high-visibility crosswalk markings and improved street lighting to further enhance safety at this intersection for all users. Right of way was acquired for the Project in order to construct the proposed improvements while meeting accessibility requirement. Public Works staff performed all survey and engineering tasks and prepared the construction documents for the project.

A Notice Inviting Bids was published in the Fresno Business Journal on February 10, 2023, posted on the City's website, and distributed to 11 building exchanges. The specifications were distributed to 26 prospective bidders. Two (2) bid proposals were received and opened in a public bid opening on March 28, 2023 with bids amounts of \$885,640 and \$1,086,000. American Paving Co. submitted the apparent low bid in the amount \$885,640 but was determined to be non-responsive as their bid did not meet the DBE participation goal of 19% and their good-faith effort was found insufficient. The second bidder failed to submit the required DBE paperwork and was also determined to be non-responsive. Local Preference was not applied due to the stipulations of the project's funding. The bids will expire on May 31, 2023; if the bids are rejected or expire, the project must be rebid, which will result in a delay of approximately 90 days.

Staff recommends Council reject all bids as they failed to meet the minimum DBE goals.

## **ENVIRONMENTAL FINDINGS**

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines, Section 15378, the rejection of all bids does not qualify as a "project" as defined by the CEQA requirements.

## **LOCAL PREFERENCE**

Local Preference is not applicable as both bids were determined to be non-responsive.

## **FISCAL IMPACT**

The proposed project falls within Council District 4. Rejection of all bids will result in additional staff costs to rebid the project; however, the adopted project budget has sufficient funding to cover these costs. There will be no impact to the General Fund.

Attachment(s):

Vicinity Map

Bid Evaluation