



## Legislation Details (With Text)

<b>File #:</b>	ID 23-823	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Passed	
<b>File created:</b>	5/12/2023	<b>In control:</b>		City Council	
<b>On agenda:</b>	5/25/2023	<b>Final action:</b>		5/25/2023	
<b>Title:</b>	Actions pertaining to the John Muir Elementary Safe Routes to School Project - Bid File 12301163 (Council District 3) 1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines 2. Award a construction contract in the amount of \$1,695,390 to Avison Construction, Inc., of Madera, California				
<b>Sponsors:</b>	Public Works Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 23-823 CEQA Environmental Assessment, 2. 23-823 Vicinity Map, 3. 23-823 Bid Evaluation, 4. 23-823 Fiscal Impact Statement, 5. 23-823 Standardized Contract				

Date	Ver.	Action By	Action	Result
5/25/2023	1	City Council	ADOPTED	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

Actions pertaining to the John Muir Elementary Safe Routes to School Project - Bid File 12301163 (Council District 3)

1. Adopt a finding of Categorical Exemption per staff determination pursuant to Section 15301/Class 1 of the California Environmental Quality Act (CEQA) Guidelines
2. Award a construction contract in the amount of \$1,695,390 to Avison Construction, Inc., of Madera, California

## RECOMMENDATIONS

Staff recommends the City Council adopt a finding of Categorical Exemption pursuant to Section 15301/Class 1 (Existing Facilities) of the CEQA guidelines, award a construction contract with Avison Construction, Inc. of Madera, California in the amount of \$1,695,390 as the lowest responsive and

responsible bidder, and authorize the Public Works Director or designee to sign the construction contract on behalf of the City of Fresno.

## **EXECUTIVE SUMMARY**

The John Muir Elementary Safe Routes Project includes new construction and reconstruction of pedestrian facilities along three local streets: Dennett Avenue, Elizabeth Street, and Dudley Avenue, adjacent to John Muir Elementary School. This will provide sidewalk and improved pedestrian amenities for the adjacent neighborhood and promote safe and convenient pedestrian access to the school. The proposed improvements include local roadway reconstruction, curb and gutter improvements, and construction of new sidewalks. Other work includes improvements to drainage facilities, driveways, and pedestrian ramps. Right-of-way acquisition was necessary for the construction of the sidewalk and has been fully acquired by Public Works staff. The project is funded by SB1 Road Maintenance and Rehabilitation Account (RMRA) funds.

## **BACKGROUND**

The design phase of the project was initiated in FY20, shortly after City Council approved the budget. The engineering design, project management, and right-of-way acquisition took three years and was completed by City of Fresno staff.

The project's scope of work includes demolition and reconstruction of approximately 1,900 feet of local streets, including Dennett Avenue, Elizabeth Street, and Dudley Avenue, all of which are immediately adjacent to John Muir Elementary. This will adjust the roadway configurations necessary to accommodate the construction of ADA-compliant pedestrian facilities along these three roads. The roadway improvements include sidewalk, curb and gutter, asphalt paving, and storm drain improvements to provide a safe route for residents to access the elementary school, as well as other destinations within the neighborhood. Right-of-way was needed for the construction of the sidewalk, which was acquired by Public Works Real Estate staff.

A Notice Inviting Bids was published in the Fresno Business Journal on February 13, 2023, posted on the City's website, and distributed to Twelve (12) building exchanges. The specifications were distributed to Twenty-Two (22) prospective bidders. Four (4) sealed bid proposals were received and opened in a public bid opening on March 28, 2023; one bidder later withdrew their bid. The remaining three bids range from \$1,695,390 to \$1,720,460, Avison Construction, Inc. submitted the apparent low bid in the amount \$1,695,390 and was determined to be the lowest responsive and responsible bidder for the project. The bids will expire on May 31, 2021; if the bids are rejected or expire, the project must be rebid, which will result in a delay of approximately 90 days.

The City Attorney's Office has reviewed and approved as to form.

Due to an oversight, the Project Labor Agreement (PLA), adopted by Council in September 2021, was not included in the project's bidding requirements. The Building Trades Council has been contacted and concurred with making an exception to award this construction contract without the PLA in place.

Staff recommends Council award a construction contract with Avison Construction, Inc., in the amount of \$1,695,390 for the John Muir Elementary Safe Routes Project as the low bidder and authorize the Public Works Director or designee to sign and execute the standardized contract on

behalf of the City of Fresno. The project is locally funded by SB1 Road Maintenance and Rehabilitation Account (RMRA) funds.

## **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Categorical Exemption set forth in CEQA Guidelines, Section 15301/Class 1, which exempts the minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of an existing use. This exemption applies because this project involves the reconstruction of an existing roadway, sidewalks, curb and gutter, and traffic signal construction that does not involve the expansion of the roadway. Furthermore, staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

## **LOCAL PREFERENCE**

Local preference was not implemented based on conditions of state funding.

## **FISCAL IMPACT**

The Muir Elementary Safe Routes project is located in Council District 3. The overall cost of the project is \$2,244,600 and is locally funded by SB1 Road Maintenance and Rehabilitation Account (RMRA) funds. Of the overall budget of the project, \$1,695,390 will be used for the construction contract award. The project will have no impact to the General Fund.

Attachment(s):

CEQA Environmental Assessment

Vicinity Map

Bid Evaluation

Fiscal Impact Statement

Standardized Contract