



County of San Mateo

Inter-Departmental Correspondence

Department: PUBLIC WORKS

File #: 21-130

Board Meeting Date: 2/9/2021

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: James C. Porter, Director of Public Works

Subject: Agreements for the Middlefield Road Improvement Project and Middlefield Road Underground Utility District (Phase II) in the North Fair Oaks Area
[County Project No. OD420; Project File No. E4931]

RECOMMENDATION:

Adopt resolutions:

A) Authorizing

1. The President of the Board of Supervisors to execute an Agreement for Project Management, Construction Management, and Construction Cost Reimbursement to County in Conjunction with the Middlefield Road Underground Utility District (Phase II) and Middlefield Road Improvement Project in the North Fair Oaks Area; and
2. The Director of Public Works or the Director's designee, to execute Amendments to the Agreement for Project Management, Construction Management, and Construction Cost Reimbursement to County in Conjunction with the Middlefield Road Underground Utility District (Phase II) and Middlefield Road Improvement Project in the North Fair Oaks Area with any additions, clarifications, and other changes as the Director of Public Works, or the Director's designee, deems necessary or advisable after consultation with County Counsel; and

B) Acting as the Governing Board of the Menlo Park Highway Lighting District, authorizing the President of the Board of Supervisors to execute an Agreement for Project Management, Construction Management, and Construction Cost Reimbursement to County in Conjunction with the Middlefield Road Underground Utility District (Phase II) and Middlefield Road Improvement Project in the North Fair Oaks Area; and

C) Acting as the Governing Board of the Fair Oaks Sewer Maintenance District, authorizing the

President of the Board of Supervisors to execute an Agreement between the Fair Oaks Sewer Maintenance District and the County of San Mateo for sanitary sewer replacement work in connection with the Middlefield Road Improvement Project in the North Fair Oaks area; and

D) Authorizing the President of the Board of Supervisors to execute an Agreement between the Fair Oaks Sewer Maintenance District and the County of San Mateo for sanitary sewer replacement work in connection with the Middlefield Road Improvement Project; and

E) Authorizing:

1. The President of the Board of Supervisors to execute an agreement with Granite Rock Company, for the Middlefield Road Improvement Project in the North Fair Oaks Area, in the amount of \$19,131,379; and
2. The Director of Public Works to execute subsequent change orders to grant time extensions for project completion and payment up to a maximum aggregate amount not to exceed \$21,044,550, or approximately 10 percent of the agreement amount.

BACKGROUND:

On October 20, 2020 this Board adopted Resolution No. 077819, which adopted plans and specifications, including conformance with general prevailing wages, as established by the Department of Industrial Relations, in the locality in which said work is to be performed for each type of workman needed to execute the contract and calling for sealed bids for the Middlefield Road Improvement Project (Project).

The plans and specifications include work to place the overhead utility wires underground. The proposed Agreement for Project Management, Construction Management, and Construction Cost Reimbursement to County in Conjunction with the Middlefield Road Underground Utility District (Phase II) (Utilities Agreement) provides for the reimbursement of costs that the County will incur on the Utilities' behalf in doing the undergrounding and associated utility work.

DISCUSSION:

On Thursday, January 14, 2021, bids were accepted for the Project and subsequently referred to Public Works for checking and recommendation. The bid of:

Granite Rock Company
5225 Hellyer Avenue, Suite 220
San Jose, CA 95138

at \$19,131,379 for the total of Schedule A and B work was the lowest responsible bid received. The Engineer's Estimate was \$22,426,874 for Schedule A (Roadway Work) and \$5,505,886 for Schedule B (Underground Work), combined for a total Engineer's Estimate of \$28,932,760. A summary of the bids received for Schedules A, B, and the combined total is attached as Exhibit "A".

The Project requires approvals, agreements, or easements with several agencies and stakeholders, which are ongoing and anticipated to be obtained prior to or during construction. These items are as follows:

1. The underground joint trench in the northern portion of the Project involves crossing the Dumbarton Railroad spur tracks at two locations: adjacent to the Clinic/Redwood Junction driveway and on Middlefield Road. The tracks adjacent to the Clinic/Redwood Junction driveway are owned by San Mateo County Transit District (SMCTD) and Union Pacific Railroad (UPRR) has the maintenance and operating rights. The tracks on Middlefield Road are operated and maintained by UPRR. The sewer work also crosses under the tracks on Middlefield Road. The Project requires a Right of Entry Agreement with SMCTD and Crossing Agreements with UPRR. The Department has been working with both entities on these items.

2. When the Clinic at the northern end of the Project was constructed, modifications to the driveway were made. The County was subsequently notified that these modifications were not authorized by the California Public Utilities Commission (CPUC), due to the proximity of the driveway to the railroad tracks. Because of this, the CPUC has required that certain work be performed as part of this Project, which includes: relocation and modification of the driveway, replacement and relocation of railroad track signal and equipment, and installation of a new traffic signal system with railroad preemption (connectivity of traffic signals to the railroad signal system and oncoming trains). The Project requires an Interconnected Crossing Agreement with UPRR (Agreement) for the signalization of the driveway at the Clinic and the signals to be constructed at Pacific Avenue and Hurlingame Avenue. Once the Agreement is agreed to and entered into, the Department must obtain a General Order 88-B from the CPUC for modification to the existing rail crossing. The work within the Clinic property requires permanent and temporary construction easements from the property owner for modifications to the driveway, construction of green infrastructure, walkway, and construction of a utility vault. The Department, the Department of Housing, and the Real Property Division have been coordinating and working to define the specific needs at this location, including what is necessary for this Project.

County staff have been working with all these agencies/stakeholders to obtain all outstanding items, prior to construction commencement; however, the timelines for these approvals are primarily dictated by other agencies review and processes.

The Department recommends authorizing execution of the Agreement between the County and the Utilities and awarding the Project to the low bidder.

County Counsel has reviewed and approved the resolutions and agreements as to form.

FISCAL IMPACT:

The total estimated cost for construction is \$21,044,550, which includes authorization for up to \$1,913,171 in change orders as the work is bid on a unit price basis. The contingency is used to pay the contractor for any unforeseen conditions not anticipated in the construction agreement documents.

Measure K	\$12,528,265
Utility Companies (PG&E, AT&T, Comcast, Wave, and Verizon, County ISD including Rule 20A Credits from PG&E)	\$6,539,335
Fair Oaks Sewer Maintenance District	\$1,656,100
California Water Service Company	\$157,350

Other Utilities*	\$163,500
Total Cost	\$21,044,550

* Resolution No.064550 executed by this Board on June 19, 2001 authorizes the Director of Public Works to enter into agreements with special districts and utility companies for work less than \$50,000 proposed to be done in conjunction with County road projects.

Reimbursement for the cost of performing work for the California Water Service Company and Other Utilities will be through individual agreements with the utility companies.

There is no impact on the General Fund.