

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: September 1, 2015

SUBJECT: APPROVE THE CITYWIDE ON-CALL SIDEWALK REPLACEMENT PILOT PROGRAM (PROJECT NO. 2341) AND APPROPRIATE PROJECT FUNDING (FUNDED BY: MEASURE J AND PROPERTY OWNER PAYMENT)**Report in Brief**

The proposed Citywide On-Call Sidewalk Replacement Pilot Program (Project No. 2341) is planned as an on-call services program for the “as-needed” replacement of sidewalks, driveways, curb and gutter and accessible ramps in various locations throughout the City. The pilot project will be specified as a one-year “on-call” services contract with a renewable option for up to two additional years upon mutual agreement of the Contractor and the City of Concord. The locations of sidewalk replacement will be specified in individual work orders issued by the City, based on requests and funding received by property owners or as otherwise required by the City.

Staff recommends that the City Council approve the Citywide On-Call Sidewalk Replacement Pilot Program (Project No. 2341) and appropriate \$50,000 for project funding. There are sufficient Measure J funds remaining in the completed FY14 Pavement Maintenance-Slurry Seal project (PJ2267) for the appropriation. Staff will bring a report to the Council on the success of this pilot program one year after implementation.

Background

City of Concord Municipal Code Section 12.25.30 places the responsibility of maintenance and repair of sidewalk areas, including sidewalks, curbs and gutters and parking strips, with the fronting property owner. Unfortunately, these damaged sidewalks and driveways pose tripping hazards and accessibility barriers for pedestrians. Currently, the Public Works Department has limited funding appropriated in order for staff to perform basic (asphalt) ramping and grinding of uplifted sidewalks, up to a 2” lift. The application of these repairs are intended to reduce tripping hazards but do not absolve the property owners of their responsibilities under the code.

City staff often receives requests to repair and or replace sidewalks by property owners as well as complaints regarding broken and uplifted sidewalks. Typically, staff notifies the property owners that they are required to find their own contractor, acquire necessary City permits, pay for and manage construction, and

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make sure the work is inspected by the City. After advising property owners of their responsibility to maintain and repair the sidewalk, as well as the standard associated costs, these repairs often go unaddressed.

Discussion

The proposed pilot program titled “Citywide On-Call Sidewalk Replacement Pilot Program (Project No. 2341)” will provide an option for property owners to have the City manage the replacement of damaged sidewalks, driveways, and curb and gutter, in the City right-of-way fronting their property. The property owners will still be responsible for the costs of the work, which will include the contract costs as well as the staff costs associated with contract management and inspection (estimated at 20% of the contract work). Property owners will also still have the option of securing their own contractor to complete any repairs; however, this program may provide a more cost effective option as they will not be required to obtain individual encroachment permits for the repairs. The City would also be able to use the contractor to address its own sidewalk repair needs as funding allows.

The Plans, Specifications, and Estimate (PS&E) package for this project will be structured as an “on-call” services contract. In order to provide prospective bidders with a biddable estimate of “on-call” services for the year, staff will provide an “estimated quantities” of the various items of work needed over the year to establish “per unit” costs. Determination of the lowest responsible bidder will be based on the total base bid for the estimated quantities. Actual work will be outlined on work orders issued to the contractor, as needed, with a limited window for repair and the Contractor would then be paid based on the unit prices as each work order is completed. This bidding and payment process has been used and successfully implemented for the Citywide Sewer Lateral Replacement Program (Project No. 2244).

Locations for sidewalk or driveway replacement throughout the City have been brought forward by either citizen request or staff identified needs. Currently, there are twenty seven (27) locations on the list that have been requested by residents. The Public Works Infrastructure Maintenance Division staff will coordinate with property owners and determine the actual limits of replacement needed. As mentioned above, costs for the repair will be adjusted based on the area of work multiplied by the unit cost provided by the contractor, plus an additional 20% for staff oversight and inspection costs. Once limits of replacements have been agreed upon and property owner payment has been processed and cleared, staff will issue a work order to the contractor to perform the work. Construction management and inspection will be performed by Public Works Staff.

Through this program, the property owner will benefit from having a pre-approved contractor working on the replacements. This minimizes both the effort and cost for property owners since the City will be coordinating the work, the costs will be based on quantities and individual encroachment permits will not be required. Inspection will be streamlined as the contractor will be issued multiple work orders (locations) to address at a time. Staff time cost will include coordinating with property owners, processing payments, issuing work orders, construction inspection, and construction management. In addition, the City will also be able to use the Contractor to replace sidewalks and driveway that are City responsibility as funding permits.

Staff will evaluate the program at 6-months and 1-year from implementation and will report back to Council on the effectiveness of the program at the one-year review point. If the program proves successful, staff will recommend its continued operation.

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Fiscal Impact

The proposed Citywide Sidewalk Replacement Pilot Program (Project No. 2341)—requires an appropriation of \$50,000 to fund staff and administrative costs, as well as provide initial funding for anticipated sidewalk repairs and replacement within the City’s right of way. Staff recommends funding this through a \$50,000 budget transfer in Measure J funds (Fund 475) from the completed FY14 Pavement Maintenance Slurry Seal Project (PJ2267). There is sufficient funding available in this project for the requested appropriation.

Public Contact

The City Council Agenda was posted.

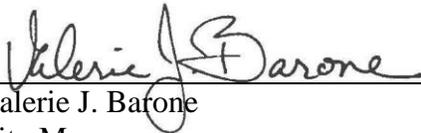
Recommendation for Action

Staff recommends that the City Council approve the Citywide On-Call Sidewalk Replacement Pilot Program (Project No. 2341) and appropriate \$50,000 for project funding. There are sufficient Measure J funds remaining in the completed FY14 Pavement Maintenance-Slurry Seal project (PJ2267) for the appropriation.

Prepared by: Bernard D. Enrile, PE
Associate Civil Engineer
bernard.enrile@cityofconcord.org

Reviewed by: Robert Ovidia, PE
City Engineer
robert.ovadia@cityofconcord.org

Reviewed by: Victoria Walker
Director of Comm. & Econ. Develop.
victoria.walker@cityofconcord.org



Valerie J. Barone
City Manager
valerie.barone@cityofconcord.org