



PUBLIC WORKS DEPARTMENT

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CITY COUNCIL STAFF REPORT

Meeting: December 3, 2024

Subject

Award a construction contract for the Light Emitting Diode (LED) Streetlight Installation Project to Bear Electrical Solutions in the amount of \$628,449 and approve a third amendment to the construction management agreement with Tanko Lighting for a total contract amount not to exceed \$306,914.

Recommended Action

1. Award a construction contract for the LED Streetlight Installation Project (budget unit 420-99-258, project number 2022-13) in the amount of \$629,449 to Bear Electrical Solutions.
2. Authorize the City Manager to execute the construction contract when all conditions have been met.
3. Authorize the Director of Public Works to execute any necessary change orders up to a construction contingency amount of \$62,945 (10%), for a total contract amount of \$692,394.
4. Authorize the third amendment to an agreement with Tanko Lighting for Construction Management and Consulting Services on various Capital Improvement Programs (CIP) Projects, by increasing the contract amount by \$156,914, for a total contract amount not to exceed \$306,914.

Reasons for Recommendation

Construction Contract – Bear Electrical Solutions

Fiscal Year (FY) 2021-2022 City Council Work Program included a project to evaluate the feasibility of modifying the City of Cupertino's streetlights to meet the requirements of the City's Bird Safe and Dark Sky Ordinance (Ordinance), which was adopted by Council April 6, 2021. A feasibility report was prepared and showed that the City's existing induction streetlight fixtures could be converted to LED fixtures which could meet the color temperatures and brightness levels established by the Ordinance. In addition to meeting the requirements of the Ordinance, the feasibility study concluded that conversion to LED streetlight fixtures would also save the City a net total of approximately \$1,900,000 over a 20-year period.

In response to the feasibility study, the approved FY 2022-2023 CIP included a project to implement the recommendations in the study. City staff initiated the project, completed the design, and advertised the project for a public bid on September 25. The bid documents issued by the City are available at <https://apps.cupertino.org/details/724>. The City received six responses to the bid request. The City does not make a practice of distributing bid responses prior to the execution of the contract to protect the contract negotiation process. On October 29, the City received the following responsive bids:

Bidder	Bid Amount
Engineers Estimate	\$753,000
Bear Electric Solutions	\$629,449
Star Energy Management	\$654,649
DC Electric Group, Inc.	\$847,002
St. Francis Electric	\$847,435
Tennyson Electric, LLC	\$885,470
Columbia Electric	\$1,874,056

The Public Works Department reviewed all bids for completeness and found Bear Electrical Solutions documents complete. Bear Electrical Solutions' experience and qualifications were responsive, and staff determined their bid to be the lowest responsive and responsible bid per the Instruction to Bidders and Cupertino Municipal Code. Therefore, staff recommends awarding a construction contract to Bear Electrical Solutions for the contract amount of \$629,449 and including a 10% construction contingency in the amount of \$62,945, for a total contract amount not to exceed \$692,394. Construction contingency allows for unforeseen conditions and is a typical contracting best practice.

Construction Management Agreement – Tanko Lighting

To ensure that construction work is completed in an orderly manner and in compliance with the project specifications, staff also recommends increasing Tanko Lightings contract by \$156,914, for a total contract amount not to exceed \$306,914, so that Tanko Lighting can perform construction management services for the City on this project. Scope of Services include community outreach, developing an installation schedule, use of a consultant's computerized mapping system to track installation progress in real time to verify contractor's data entry is accurate and complete, post construction asset inventory update, and to coordinate utility billing updates upon project completion.

If this item is not approved, the City will not be able to contract out Construction Management services and will lose the opportunity to utilize the Consultant's GIS software to manage and track installation. Due to limited staff resources, this will prohibit or delay project completion.

Next Steps

If this item is not approved, the City will not convert existing streetlights to LED technology, will not have streetlights that comply with the City's Bird Safe and Dark Sky Ordinance, and will not increase energy efficiency and reduce future operational costs.

Sustainability Impact

Converting streetlights to LEDs will decrease electricity consumption through energy efficiency, which supports the goals of the City's Climate Action Plan 2.0 and reduces demand on the electrical grid.

Fiscal Impact

Below is a summary of the project's fiscal impacts (budget unit 420-99-258).

Current Funding Status	Amount
City Approved Funds (GL 420-99-258 900-905)	\$1,300,000
Expense to Date (Design & Bid Support by Tanko Lighting)	(\$179,258)
Currently available Funds – Subtotal	\$1,120,472

Propose Funding Impact	Amount
Construction Management	\$156,914
Construction Contract (including 10% Contingency)	\$692,394
Subtotal	\$849,308

Propose Funding Impact	Amount
Current Funding Status	\$1,120,472
Proposed Funding Impact	(\$849,308)
Balance (budget unit 420-99-258)	\$271,164

City Work Program (CWP) Item:

Yes, FY 2021-22

CWP Item Description:

*City Light Transition Assessment *Also Part of CIP*

Assess the costs, benefits, and opportunities of transitioning the City's streetlight infrastructure, and other City operated lights, from induction to LED fixtures. LEDs would allow lights to be turned down and the assessment will evaluate the efficacy of various color temperatures that would meet the dark sky requirements. Review light pollution by streetlights.

Council Goal: Sustainability and Fiscal Strategy

California Environmental Quality Act (CEQA)

This project is exempt under CEQA Guidelines Section 15301(b) – Class 1, Existing Facilities, and Section 15302(c) – Class 2, Replacement or Reconstruction.

Prepared by: Jo Anne Johnson, Public Works Project Manager

Reviewed by: Chad Mosley, Director of Public Works

Reviewed by: Tina Kapoor, Interim Assistant City Manager

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Contract

B – Draft Amended Agreement, Tanko Lighting