



**PUBLIC WORKS DEPARTMENT**

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**CITY COUNCIL STAFF REPORT**

Meeting: September 4, 2024

Subject

Award a construction contract for the 2024 Concrete Reconstruction Project to Duran Construction Group for removal and replacement of concrete curbs, gutters, sidewalks, and pedestrian ramps in the amount of \$1,586,842.

Recommended Action

- 1) Award a construction contract for the 2024 Concrete Reconstruction Project (project number 2024-103) in the amount of \$1,586,842 to Duran Construction Group;
- 2) Authorize the City Manager to execute the construction contract when all conditions have been met; and
- 3) Authorize the Director of Public Works to execute any necessary change orders up to a construction contingency amount of \$158,684 (10%) for a total contract amount of \$1,745,526.

Reasons for Recommendation

On May 10, the City of Cupertino advertised the 2024 Concrete Reconstruction Project. This project consists of the removal and replacement of concrete curbs, gutters, sidewalks, and pedestrian ramps. On July 25, the City received the following responsive bids:

Bidder	Bid Amount
<b>Engineers Estimate</b>	<b>\$1,550,000</b>
Duran Construction Group	\$1,586,842
Spenco Construction Group	\$1,656,600
JJR Construction	\$1,828,559

The Public Works Department reviewed all bids for completeness and found Duran Construction Group’s documents complete. It was confirmed that the contractor’s experience and qualifications were responsive, and staff determined the 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

Duran Construction Group for the contract amount of \$1,586,842, including a 10% construction contingency in the amount of \$158,684 for a total contract amount not to exceed \$1,745,526. Construction contingency allows for unforeseen conditions and is a typical contracting best practice.

A draft construction contract is included as Attachment A while the full project specifications can be found on the City's Business Opportunities website at <https://apps.cupertino.org/bidmanagement/index.aspx>.

#### Sustainability Impact

Maintaining and preserving the local streets and roadway systems reduces drive time and traffic congestion, improves bicycle safety, and creates a safer and more appealing pedestrian experience. This leads to reduced vehicle emissions, helping the City achieve air quality and greenhouse gas emission reduction goals.

#### Fiscal Impact

The City cancelled the 2023 Concrete Reconstruction project, and therefore had project savings of \$644,000. Additionally, there was an unencumbered balance of \$1.488 million at the end of Fiscal Year 2023-24. These funds have been rolled over into the 2025 Annual Sidewalks, Curb and Gutter budget (budget unit 270-85-820 750-020). With the 2025 Concrete Reconstruction budget of \$632,000 and the roll over funds from 2024, the resulting total amended budget for 2025 is \$ 2,764,000.

Award of this contract will result in a fiscal impact of up to \$1,745,526. Sufficient funds are budgeted in 270-85-820 750 020 (Special Projects Annual Sidewalk Curb & Gutter). No additional appropriations are needed.

#### California Environmental Quality Act (CEQA)

This project is exempt under CEQA Guidelines Sections 15301(c) (repair and maintenance of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities).

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Prepared by: Jo Anne Johnson, Project Manager  
Reviewed by: Chad Mosley, Director of Public Works  
Approved for Submission by: Pamela Wu, City Manager

#### Attachments:

A – Draft Contract