

RESOLUTION NO. 44-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, AUTHORIZING THE AWARD OF A CONSTRUCTION CONTRACT
TO NEMA CONSTRUCTION FOR THE YELLOW BRICK ROAD SUPPLEMENTAL
STREET LIGHTING PROJECT**

WHEREAS, the Yellow Brick Road is a community-led effort to designate and implement safe walking and bicycling routes for Iron Triangle Neighborhood residents to increase walking and bicycling modes of transportation to and from places of interest including schools, parks, downtown Richmond (including health care facilities, shopping destinations, Post Office, etc.), the Richmond multimodal station, the Richmond Greenway, and the Bay Trail; and

WHEREAS, since 2015, the City has partnered with Pogo Park, a local non-profit that hires, trains and provides opportunities to Iron Triangle Neighborhood residents, to secure grants to design, build and implement the Yellow Brick Road project; and

WHEREAS, in January 2022, the City, in partnership with Pogo Park, submitted a grant application to the California Department of Transportation Clean California (Caltrans Clean CA) grant, for Greening the Yellow Brick Road- Clean Green and Beautiful project. In May 2022, the City was notified of the grant award; and

WHEREAS, the City entered into a sole source contract with Pogo Park to lead and manage the efforts to plan and implement the Greening the Yellow Brick Road – Clean Green and Beautiful project with the exception of the street lighting scope; and

WHEREAS, the Yellow Brick Road Supplemental Street Lighting Project (Project) includes the installation of an additional 92 pedestrian streetlights on 8th Street between Ohio Avenue and Pennsylvania Avenue; and

WHEREAS, an invitation for bids for the Yellow Brick Road Supplemental Street Lighting Project (Project) was duly advertised on March 18, 2024, bids were opened on April 4, 2024, and the City received five (5) bids; and

WHEREAS, staff reviewed the bid for the apparent low bidder, Nema Construction, and determined the bid is responsive and responsible, and references for Nema Construction checked out satisfactorily; and

WHEREAS, staff desires to award a construction contract to Nema Construction, for the Project in an amount not-to-exceed \$1,141,470, which includes \$1,017,200 for the Base Bid plus \$20,500 for Additive Bid Alternative Item A-1 plus a contingency in the amount of \$104,000, and authorize the Public Works Director to approve change orders, if necessary, for up to the contingency amount of \$104,000; and

WHEREAS, there are not enough grant funds to cover the full contingency amount. Therefore, City staff recommends a transfer of \$30,000 from the remaining General Capital Funds from the Yellow Brick Road Project (29113) to this Project. Any balance remaining at the completion of the Project will be returned to the General Capital Fund or to another project; and

WHEREAS, by the agenda report (“Agenda Report”) accompanying this resolution the City Council has been provided with additional information upon which the findings and actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds the above recitals are true and correct and have served, together with the Agenda Report, as the basis for the findings and actions set forth in this Resolution.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the transfer of funds in the General Capital Fund from the Yellow Brick Road Project (29113) to the Yellow Brick Road – Clean, Green and Beautiful Project (23032) in the amount of \$30,000.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the award of a construction contract to Nema Construction as the lowest responsive and responsible bidder for the construction of the Yellow Brick Road Supplemental Street Lighting Project in an amount not-to-exceed \$1,141,470, which includes \$1,017,200 for the Base Bid plus \$20,500 for Additive Bid Alternative Item A-1 plus a contingency in the amount of \$104,000.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City Manager, or their designee, to execute and make amendments to the construction contract as needed to facilitate the completion of the Project.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the Public Works Director to approve change orders, if necessary, for up to a contingency amount of \$104,000.

BE IT FURTHER RESOLVED that the City Council designates the City Clerk as the custodian of the documents and other materials which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the City Clerk at the Richmond City Hall, 450 Civic Center Plaza, Richmond, California 94804.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held May 21, 2024, by the following vote:

AYES: Councilmembers Bana, McLaughlin, Willis, Zepeda, Vice Mayor Jimenez, and Mayor Martinez.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Robinson.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

EDUARDO MARTINEZ
Mayor

Approved as to form:

DAVE ALESHIRE
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 44-24**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on May 21, 2024.



Pamela Christian, Clerk of the City of Richmond