

RESOLUTION NO. 85-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, TO TERMINATE A CONSTRUCTION CONTRACT WITH CORCUS CONSTRUCTION, INC.; AND DIRECT PUBLIC WORKS STAFF TO REBID THE LINCOLN ELEMENTARY SCHOOL SAFE ROUTE TO SCHOOL IMPROVEMENT PROJECT CML-5137(055); AND RE-APPROPRIATE FUNDS IN THE GENERAL CAPITAL FUND IN THE AMOUNT OF \$103,831 AND ENGINEER GRANT FUND IN THE AMOUNT OF \$496,000 IN FY24-25

WHEREAS, on September 17, 2017, the City Council adopted a resolution for local support authorizing the filing of an application for funding assigned to Metropolitan Transportation Commission (MTC) and committing any necessary matching funds and stating assurance to complete the safe routes to school; and

WHEREAS, the City of Richmond has a longstanding commitment to improving pedestrian safety and access to schools, recognizing the critical importance of safe routes for students and their families; and

WHEREAS, in alignment with this commitment, the City applied for and received the One Bay Area Grant 2 (OBAG2) funding specifically aimed at enhancing the safety and accessibility of routes to schools within the community; and

WHEREAS, the Lincoln Elementary School Safe Route Improvement Project was identified as a priority project due to its central location in the Iron Triangle neighborhood and the high volume of pedestrian traffic from students and guardians along Chanslor Avenue; and

WHEREAS, extensive community engagement and input highlighted the need for specific improvements, such as median refuges, curb extensions, and a raised intersection at the junction of Chanslor Avenue and 4th Street, to address safety concerns and enhance pedestrian infrastructure; and

WHEREAS, the Lincoln Elementary School Safe Route Improvement Project is a federally funded project that has two (2) funding sources; One Bay Area Grant 2 (OBAG2) of an amount of \$497,000 for construction; and local contribution in the amount of \$265,000 from the General Capital Funds; and

WHEREAS, on October 24, 2023, the City Council approved the FY 2022-23 Q4 Financial Report and Administrative Budget Adjustments that consisted of appropriating additional funds to numerous projects for completion. Lincoln SRT was approved in the amount of \$265,000 for design and construction; and

WHEREAS, an invitation for bids was duly advertised on January 22, 2024 bids were opened on February 20, 2024; and

WHEREAS, City staff identified the responsive and responsible low bidder as Corcus Construction Inc., on April 16, 2024, with the total contract amount of \$599,831; and

WHEREAS, City Council awarded the contract per Resolution 28-24; and

WHEREAS, during the processing of the contract for execution, a clerical error in the construction contract was discovered. Unfortunately, by the time the error was noticed, the contract had already been fully executed; the contract lacked required federal forms; and

WHEREAS, the contract documentation lacked required Federal forms that are necessary for the receipt of grant funding; and

WHEREAS, City staff is recommending City Council terminate the construction contract with Corcus Construction, Inc., and direct Public Works staff to rebid the Lincoln Elementary School Safe Route to School Improvement Project CML-5137(055), and re-appropriate funds in the General Capital Fund in the amount of \$103,831 and Engineer Grant Fund in the amount of \$496,000 in FY24-25; 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 of the City of Richmond does hereby:

- Terminate the construction contract with Corcus Construction, Inc., and directs Public Works Staff to rebid the Lincoln Elementary School Safe Route to School Improvement Project CML-5137(055), and re-appropriate funds in the General Capital Fund in the amount of \$103,831 and Engineer Grant Fund in the amount of \$496,000 in FY24-25; and
- Authorize the City Manager, or their designee, to execute and make amendments to the construction contract as needed to facilitate the completion of the Project; and
- Designate 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 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 July 2, 2024, by the following vote:

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

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. 85-24**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on July 2, 2024.



Pamela Christian, Clerk of the City of Richmond