

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute a Construction Contract with Rodarte Construction, Inc. in the Amount of \$3,291,215 for the 5 th Avenue NE (NE 175 th – NE 182 nd) Sidewalk Project
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, City Engineer
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

Shoreline residents approved an increase in the Sales and Use Tax in 2018 to construct new sidewalks. The ballot measure included 12 specific locations for construction of new sidewalk. The 5th Avenue NE (NE 175th Street to NE 182nd Court) Sidewalk Project (5th Avenue NE Sidewalk Project) is the second of the specific sidewalk projects to come before the Council for construction contract award. This project involves the construction of a new sidewalk along both sides of 5th Avenue NE from NE 175th Street to near NE 182nd Court where it will connect to sidewalks currently being constructed by Sound Transit creating a continuous sidewalk on 5th Avenue NE from 175th Street to 185th Street and the Shoreline North/185th Station. Construction is anticipated to start in April/May 2022 with a total contract time of 180 working days.

Between January 18 and February 8, 2022, the City solicited bids for contractors to construct the 5th Avenue NE Sidewalk Project as Bid #10158. The bid from Rodarte Construction, Inc. (Rodarte Construction) in the amount of \$2,992,013.75 was the apparent low bid. City staff has determined that the bid from Rodarte Construction is responsive and that they have met the City’s requirements. Staff is requesting that the City Council authorize the City Manager to execute a contract with the lowest responsive bidder, Rodarte Construction, for construction of the 5th Avenue NE Sidewalk Project in the amount of \$2,992,013.74 with a change order authority of \$299,201.

This item was scheduled to be discussed at the City Council meeting of February 28, 2022. At that meeting Council asked to defer consideration of this item and for staff to return with additional information on the project impacts to trees. Tonight, Council is scheduled to take action on this construction contract award.

RESOURCE/FINANCIAL IMPACT:

The ballot measure requires all projects be funded with bond revenue that is then repaid with the Sales and Use Tax collected over the next 20 years. In 2019, the City issued the first series of bonds in the amount of \$11.6 million to fund the initial programming,

design, and construction of several sidewalk routes. [Ordinance No. 903](#) provided \$4,700,000 in the 2021-2022 biennium for this program. This contract amount is within that authorized budget.

Sound Transit has also provided the City with funding to complete part of these improvements as part of the Shoreline North/185th Station Access Project Priorities. Funding will be provided by surface water utility bond funds for improvements to the existing surface water utility infrastructure in the vicinity of the project. Sewer relocation improvements will be paid for by the City’s wastewater utility. The project cost and budget summary follows:

EXPENDITURES

Design

Project Administration	\$ 560,000
Right-of-Way Acquisition	\$ 27,400

Construction

Staff and other Direct Expenses	\$ 15,000
Construction Management (CM) Services	\$ 476,950
<i>Rodarate Construction Contract</i>	\$2,992,014
<i>Contingency (10%)</i>	\$ 299,201
TOTAL (Design and Construction)	\$4,370,565

REVENUE

Surface Water Utility Bond	\$ 150,430
Wastewater Utility Fund	\$ 72,015
Sound Transit Funding	\$2,000,000
Sales and Use Tax/Sidewalk Bond Fund	\$2,148,120
TOTAL Revenue	\$4,370,565

RECOMMENDATION

Staff recommends that City Council move to authorize the City Manager to execute a construction contract with Rodarte Construction in the amount of \$2,992,014 with an additional change order authority of \$299,201 for the 5th Avenue NE Sidewalk Project.

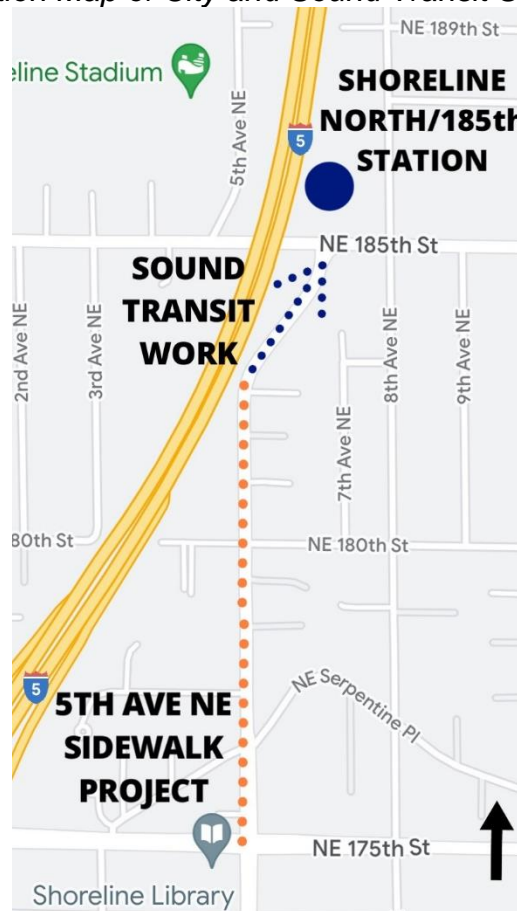
Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

The 5th Avenue NE Sidewalk Project is part of the City's 2018 Voter Approved Sidewalk Program that includes 12 specific new sidewalk locations. The program is funded from a 0.2% increase in Sales and Use Tax that voters approved in November 2018. [Council authorized the City Manager to execute a contract](#) for the design of the sidewalk in April 2020.

Staff discussed [this project and the overall sidewalk program with Council on February 7, 2022](#). The project will involve the construction of sidewalk and bicycle lanes on both sides of 5th Avenue NE and will connect the existing bicycle and pedestrian facilities south of NE 175th Street to the improvements currently under construction by Sound Transit, near NE 182nd Court creating a continuous sidewalk on 5th Avenue NE from 175th Street to 185th Street. This project will provide an important connection for people walking and biking to the new Shoreline North/185th Street Link Light Rail Station as shown in Figure 1, below. The project also includes drainage facilities and permeable concrete to help alleviate some existing ponding and flooding issues experienced along 5th Avenue NE.

Figure 1: Location Map of City and Sound Transit Sidewalk Projects



As prescribed by the contract for this project, clearing limits will be marked by the contractor, staff will review tree impacts within those limits and evaluate areas where clearing may be reduced to preserve trees/improve tree outcomes, and approve tree

removals with the contractor. Trees that will be required to be removed for construction of sidewalk improvements will have notifications placed on them a minimum of 14 days before removal. Any large Western Red Cedar or Douglas Fir trees removed will be salvaged and used for stream stabilization in other City projects.

Council and Community Questions

At the City Council meeting of February 28, 2022, the Council asked to defer consideration of this item and for staff to return with additional information on the project impacts to trees. Trees are a valuable community resource for a variety of reasons including helping to address climate change. Sidewalks and bike lanes are also important for addressing climate change as the City seeks to get more people out of their cars and traveling using non-motorized modes. Both activities serve a common goal in this regard, however implementation or prioritization of one may conflict with the other. Staff's challenge in a project like this is to balance creation of safe and comfortable non-motorized facilities and retaining trees. In this balancing, we modify our non-motorized facility standards to retain trees, however some trees may still have to be removed.

Specific to the sidewalk design on 5th Avenue NE, staff has modified the standard design to reduce the impact to trees in the project area including removal of the amenity zone, narrowing of the sidewalk in places to 5-feet to preserve specific trees, and use of pervious concrete which not only has surface water benefits it maintains water to root zones of trees. The initial concept design impacted approximately 90 trees. With the modifications incorporated into the project, staff have saved almost 70 trees with 23 trees now scheduled for removal. Of the 23 trees scheduled to be removed, 4 are considered in good health after inspection by the arborists with the remaining 19 classified as fair or poor condition. After these modifications, the large Western Red Cedar trees at NE 178th Street (which seem to be trees of interest to members of the community) are situated such that their removal is necessary.

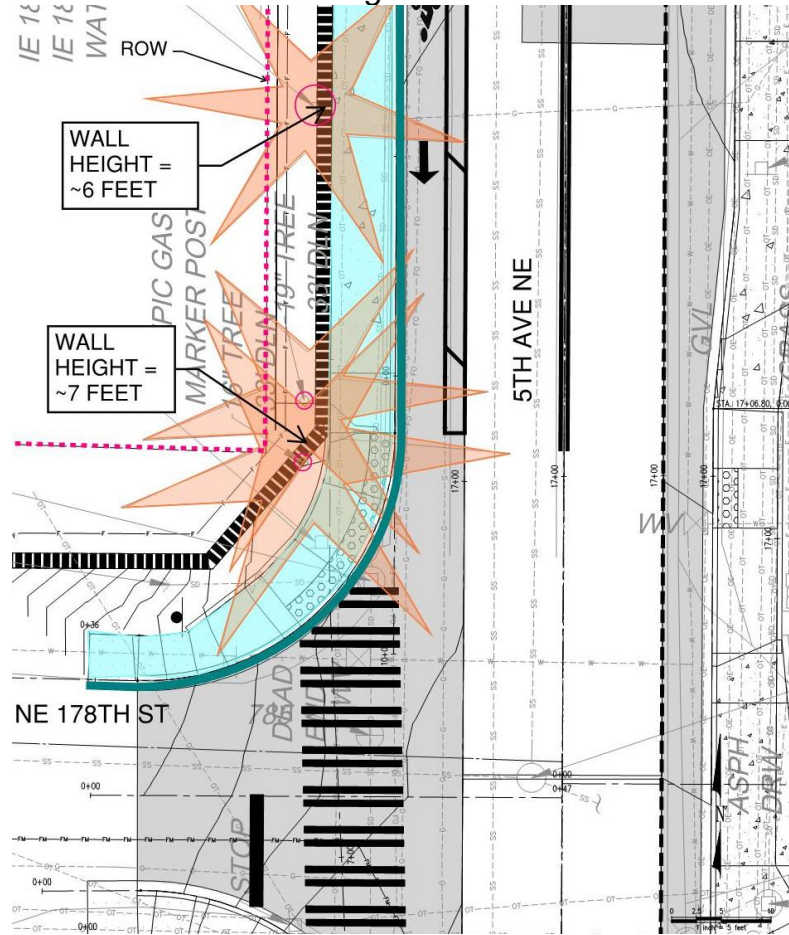
Of note, staff worked with two arborists to identify alternatives to protect and preserve trees while still meeting the project objectives for non-motorized facilities. This included looking at elevated walkways and other unconventional sidewalks designs. Staff will review the proposed tree removal in the field after the project improvements are "staked" by a surveyor and evaluate opportunities to preserve trees before they are removed.

Below is information in response to the questions staff has heard about the project design for this sidewalk project:

1. *How are the large trees impacted at the NW corner of 5th Avenue NE and NE 178th Street under the current design?*

As shown in Figure 2 below, the proposed design at this intersection includes a 6' sidewalk and 5' bike lane with a 2' buffer starting near this intersection and continuing north. A wall will need to be constructed for the sidewalk to meet ADA standards which will be between 6 – 7 feet tall near the trees and up to 10 feet tall at its highest point (including the wall foundation).

Figure 2: Current Sidewalk Design at NE 178th Street & 5th Avenue NE



The sidewalk ramp will need to be constructed directly in the area where the two southern Western Red Cedars are located. The wall will wrap around both the east and south side of these trees in order to support ADA access to NE 178th Street, and the excavation required for the wall construction will severely impact these trees.

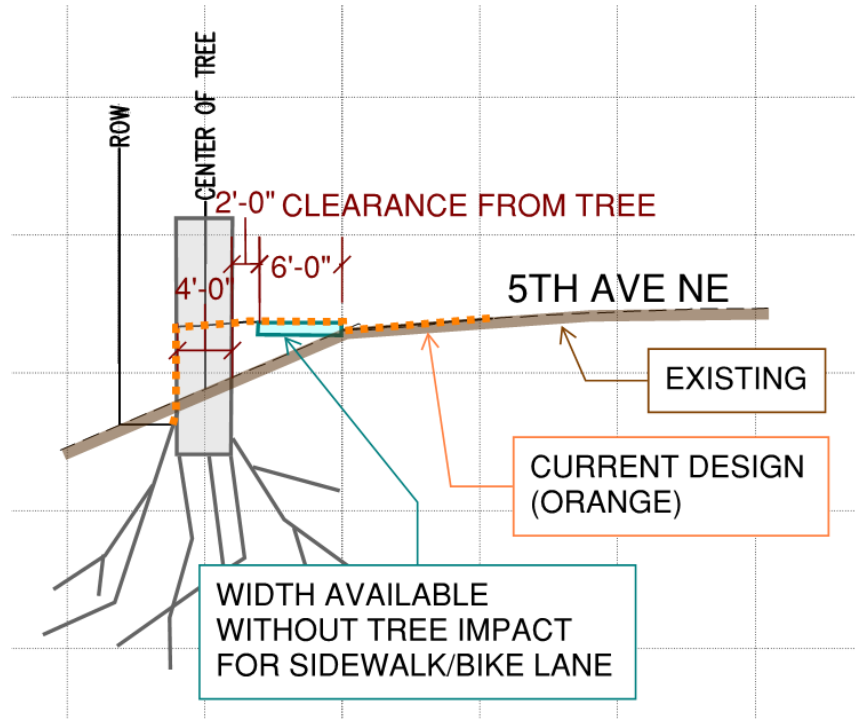
The current design meets the City's long-term goals for people to safely move through this area on wheels or on foot. The minimum widths are achieved with the current design, but only with the addition of walls and tree removal.

2. *What modifications could be made at the NW corner of 5th Avenue NE and NE 178th Street to save the trees; how does that impact the other goals of the project?*

Staff reviewed modifications to save the trees at the corner of 5th Avenue NE and NE 178th Street and found that only 6 feet of width would be available for improvements, as shown in Figure 3 below. Even in this configuration, a wall would be required and would have to be constructed in the tree's drip line/root zone, likely impacting the health of the tree.

At this modified section, either the bike lane would have to be removed completely or the sidewalk would have to be eliminated through this stretch. Neither of these options would comply with the City's goals or ADA standards. These modifications would not be safe for people walking or biking. Additionally, an elevated sidewalk ramp would be required due to the existing grades.

Figure 3: Section View Showing Width Available for Improvements Without Initial Removal of Trees



3. *What about a shared use trail? Will that save space?*

A shared use trail through this stretch would be possible but wouldn't save the trees and at 10-12 feet would take up about the same area as the current design.

4. *What about putting the sidewalk behind the tree?*

While staff considered this option, the area behind the tree is private property and staff approached the homeowner with the option but they were not interested because it put the sidewalk very close to their residence. Additionally, the sidewalk would have to be elevated 6-10 feet above grade behind the tree and the ramp would not be ADA accessible with this option.

ALTERNATIVES ANALYSIS

Project Bid Process – Bid #10158

Between January 18 and February 8, 2022, the City solicited bids for contractors to construct the Project under Bid #10158 as noted above. Bids were opened on February 8, 2022 and six (6) bids were received. Rodarte Construction was the low bidder with a

bid of \$2,992,014. The other bid proposals were for \$3,127,421, \$3,196,394, \$4,009,353, \$4,617,952, and \$4,993,201.

The lowest bid from Rodarte Construction was determined to be responsive and met the requirements of the City. This was verified by:

- Evaluation and analysis of the bid through the creation of bid tabulations, and
- Verification that the contractor is properly licensed in Washington State and has not been barred from contracting on federal- and state-funded projects.

The engineer’s estimate for construction of the Project was \$3,152,279. Construction is anticipated to start in March 2022 and be completed within 180 working days.

COUNCIL GOAL(S) ADDRESSED

This Project addresses Council Goal #2: Continue to deliver highly valued public services through management of the City’s infrastructure and stewardship of the natural environment, and specifically Action Step 1: Implement the new Sidewalk Construction Program.

RESOURCE/FINANCIAL IMPACT

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