



Office of the City Manager

CONSENT CALENDAR  
September 10, 2019

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Phillip L. Harrington, Director, Department of Public Works  
Subject: Contract No. 10298 Amendment: C. Overaa & Co. for the Center Street Parking Garage

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No. 10298 with C. Overaa & Co. for the Center Street Parking Garage Project, increasing the contract amount by \$473,835 for a total amount not to exceed \$38,944,818.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract amendment will be appropriated as part of the First Amendment to the FY 2020 Annual Appropriations Ordinance in the Center Street Parking Garage project budget from the Off Street Parking Fund (627).

No other funding is required, and no other projects will be delayed due to this expenditure.

Original contract not-to-exceed (NTE) amount .....	\$33,524,400
Prior amendment (shoring change order) .....	\$3,446,583
Prior amendment.....	\$1,500,000
This amendment .....	\$473,835
Amended contract NTE amount	\$38,944,818

This contract amendment has been assigned CMS No. PG8LN.

CURRENT SITUATION AND ITS EFFECTS

During the final stages of construction, inspections by the State of California elevator inspector, the City’s fire department, and the City’s building division identified a number of omissions and deficiencies to the original contract documents that were required to be corrected before occupancy was allowed. This resulted in additional work having to be performed by the contractor, C.Overaa & Co. (Overaa). This additional work was primarily for electrical work related to garage lighting, emergency lighting, lighting controls, art lighting, elevator controls, and the solar photo voltaic system. Extra work was also required to correct ADA accessibility, and signage issues. In order to not further delay the opening of the garage, a significant portion of the extra work was

performed on overtime, which also increased the cost. The City negotiated this final change order with Overaa for which an increase in the not to exceed authorization is needed from the City Council.

On October 26, 2018, the City received an occupancy permit, which was followed by a ribbon cutting and grand opening of the garage on November 2, 2018. Since that time, the Center Street Garage has received multiple awards, including the:

- 2019 Light & Architecture Design Award
- 2019 Berkeley Design Advocates Design Award
- 2019 Parking Today Best New Parking Structure
- 2019 IES Illumination Award of Merit
- 2019 New Building \$20-50M Construction Management Association of America
- 2019 Metal Architecture Design Award – Sustainable
- 2019 The Plan Award
- 2019 Chicago Athenaeum: American Architecture Award

#### BACKGROUND

In December 2013, Council approved a contract with Conversion Management Associates, Inc. (CMA) for Project Planning and Project Management Services for the reconstruction of the City's Center Street Garage, in an amount of \$1 million (Resolution No. 66,392-N.S.). In April 2015, Council authorized CMA for design development and to prepare the construction documents (plans and specifications), in an amount of \$2.6 million (Resolution No. 66,996-N.S.). CMA completed the construction documents and the project was advertised for bids on March 7, 2016.

Of the bids received from interested construction firms, Overaa was found to be the lowest responsive and responsible bidder. The City Council authorized the City Manager to execute a contract with Overaa, for the construction of the Center Street Garage project at its June 14, 2016 meeting for a total amount not to exceed \$33,524,400. The City Council, at its February 28, 2017 meeting, authorized the City Manager to amend the contract with Overaa, increasing the contract amount by \$3,446,583 to address needed shoring design and installation to ensure the safety of the adjacent buildings.

During construction, deficiencies discovered in the contract plans and specifications required extra work to be performed. The additional work was primarily related to changes to signage and parking guidance, utility coordination, electrical work, and structural steel supporting the photo voltaic system. The City Council, at its July 24, 2018 meeting, authorized the City Manager to amend the contract with Overaa, increasing the contract amount by \$1,500,000 to complete the additional work.

The replacement of the City's Center Street Garage, located in the heart of the Downtown Arts District was one of the City's highest priority projects.

The project included the demolition of the five story structure and the construction of an eight-story structure with 720 parking spaces that meets current seismic standards. The new garage includes retail spaces, a café, and an art gallery; public restroom facilities; secure self-park and valet bicycle parking for up to 350 bicycles; 20 electric vehicle charging stations; and two tire inflation stations. Vehicles may access the garage on both Center and Addison Streets, at flexible entrances that allow for multiple entry and exit lanes as determined by demand. The garage also includes a state-of-the-art guidance system, with overhead units lit with green or red lights next to cameras monitoring the traffic flow at garage intersections. The displays allow drivers to see where to find the empty spaces.

The Center Street Garage is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

#### ENVIRONMENTAL SUSTAINABILITY

The new Center Street Garage is in the Downtown Mixed Use District, which requires new buildings to be LEED Gold or higher or "attain building performance equivalent to this rating as determined." Since LEED does not certify parking garages, the City is pursuing a ParkSmart Gold rating, the equivalent for parking garages.

The new garage contains a multitude of sustainable features, including rooftop solar panels, LED lighting, designated car sharing spaces, electric vehicle charging stations, secure bicycle packing, rainwater collection cistern, and stormwater treatment vegetation. Providing an operationally efficient and cost-competitive parking option for visitors and business people will reduce greenhouse gas emissions from vehicles circling for other parking spaces.

#### RATIONALE FOR RECOMMENDATION

Overaa is currently under contract with the City for the construction of the Project. It was practical and cost-effective to amend the contract with C. Overaa & Company for this additional work, and there are funds available to cover the additional expense. The City did not have the resources to perform the work.

#### ALTERNATIVE ACTIONS CONSIDERED

None.

#### CONTACT PERSON

Phillip L. Harrington, Director, Department of Public Works, 981-6303  
Nisha Patel, Manager of Engineering, Department of Public Works, 981-6406  
Joe Enke, Supervising Civil Engineer, Department of Public Works, 981-6411

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 10298 AMENDMENT: C. OVERAA & CO. FOR CENTER STREET  
PARKING GARAGE

WHEREAS, on June 14, 2016 by Resolution No. 65,138-N.S., the City Council authorized Contract No. 10298 with C. Overaa & Co. (Overaa) in an amount not to exceed \$33,524,400 for the Center Street Parking Garage; and

WHEREAS, the Center Street Parking Garage project was competitively bid (Specification No. 16-10996-C), and Overaa was the lowest responsive and responsible bidder; and

WHEREAS, on February 28, 2017 by Resolution No. 67,847-N.S., the City Council authorized the City Manager to amend Contract No. 10298 with Overaa, increasing the contract amount by \$3,446,583; and

WHEREAS, on July 24, 2018 by Resolution No. 68,554-N.S., the City Council authorized the City Manager to amend Contract No. 10298 with Overaa, increasing the contract amount by \$1,500,000; and

WHEREAS, an increase of \$473,835 is needed for the construction change order for electrical changes to complete the contract; and

WHEREAS, \$473,835 in funds is available from the Fiscal Year 2020 Center Street Parking Garage project (14CB10) from Off Street Parking Fund 627, and the contract amendment has been entered in the City database with CMS number DFLB8.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 10298 with C. Overaa & Co. for the Center Street Parking Garage, increasing the amount by \$473,835 for a total amount not to exceed \$38,944,818. A record copy of said contract amendment will be on file with the Office of the City Clerk.