



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND**

**AB 6513
July 16, 2024
Consent Agenda**

AGENDA BILL INFORMATION

TITLE:	AB 6513: 80 th Avenue SE Pedestrian Improvements Bid Award	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Award the 80 th Avenue SE Pedestrian Improvements construction contract to Always Active Services, LLC.	

DEPARTMENT:	Public Works
STAFF:	Jason Kintner, Chief of Operations Patrick Yamashita, Deputy Public Works Director Clint Morris, Capital Division Manager Ian Powell, Street Engineer
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Project Location Map
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	\$ 2,184,711
AMOUNT BUDGETED	\$ 1,376,000
APPROPRIATION REQUIRED	\$ 808,711

EXECUTIVE SUMMARY

The purpose of this agenda bill is to award a public works construction contract for the reconstruction of sidewalks in a portion of the Town Center.

- This project (SP0111) reconstructs sidewalks along the east side of 80th Avenue SE from SE 27th to SE 32nd Streets and along a short section of the west side of 78th Avenue SE in the 3000 block.
- Street trees have caused sidewalks to heave, crack, and become uneven. Curb ramps and sidewalk landings do not meet current ADA standards.
- Street trees need to be removed and replaced to repair sidewalk damage and prevent ongoing damage. The obsolete street lighting system on 80th Avenue will also be replaced.
- Five contractor bids were received. The lowest responsive and responsible bid totaled \$1,590,160.
- This project is included in the 2023-2024 Biennial Budget and Capital Improvement Program (CIP) and is funded with Sound Transit Mitigation Funds.
- Construction is scheduled to occur from August through December 2024.
- To complete the 80th Avenue SE Pedestrian Improvement project, staff recommends the City Council appropriate \$808,711 from the Street Fund.

BACKGROUND

Many of the roadways in the Mercer Island Town Center were developed in the 1960's and 1970's to include curbs, sidewalks, street trees, and a street lighting system. Most of 80th Avenue SE dates to this period. In the mid 1990's, the City undertook a large three-year street improvement project in the Town Center and rebuilt most of the east-west streets, all of 77th and 78th Avenues, and the west side of 80th Avenue SE from SE 28th and SE 32nd Streets. Improvements included new curbs, wider sidewalks, asphalt paving, a new street lighting system, new street trees, and other sidewalk furnishings. While the west side of 80th Avenue SE received sidewalk replacements in the 1990's, no improvements were made to the east side of 80th Avenue SE, and the lighting system along 80th Avenue SE was not upgraded.

Today, the east sidewalk on 80th Avenue SE is in poor condition, with many damaged areas due to mature street trees with large root masses, causing sidewalk heaving and uneven walking surfaces that do not meet standards required by the Americans with Disabilities Act (ADA). The lighting system is a combination of the original 1970's wiring and wood poles combined with some newer concrete poles installed over the past 25 years to replace failed wood poles. Lighting coverage from this old system is inadequate and not uniform.

The 80th Avenue SE Sidewalk Improvements project was first introduced into the TIP in 2018 with an initial limited scope of replacing portions of sidewalks along the east side of the roadway, at a budget of \$500,000. Design work began in 2019 and a 30% conceptual design was developed; however, work on the project was suspended in 2020 due to COVID. The project budget was increased in the 2023-2024 CIP to \$1,376,000 based on a broader assessment of the condition and needs of 80th Avenue SE. The design work resumed in early 2023.

On April 16, 2024, staff made a presentation to the Council about this project and highlighted its major elements including new sidewalks, new street lighting, the need to remove and replace a significant number of existing street trees within the project limits, and the likely need for additional funds to complete the construction ([AB 6455](#)).

Final design work was completed in May 2024 and the project was advertised for bids. Five contractor bids were received, and the project is now ready for contract award.

ISSUE/DISCUSSION

PROJECT DESCRIPTION

This project involves three main elements: sidewalk replacements, street tree replacements, and street lighting.

Sidewalks

The sidewalks along the east side of 80th Avenue SE between SE 27th to SE 32nd Streets will be replaced, and ADA compliant curb ramps will be installed at street intersection corners. In general, the curb alignments are not changing and most of the new sidewalks will be 5-foot wide. During the design work in 2023, staff added a small segment of 78th Avenue SE sidewalk improvements to this project. This is on the west side in the 3000 block, along the Newell Court Building. This area has heaved and sunken sidewalk panels due to street trees, very similar to the conditions on 80th Avenue SE. Staff added this work for the economy of scale provided by the much larger 80th Avenue SE project. The 78th Avenue SE sidewalks are 12-foot wide. Locations are shown in Exhibit 1.

Street Trees

Of the nearly 50 trees within and along the 80th Avenue SE sidewalk and the small 78th Avenue SE location, over half of them will be removed and replaced. The reasons for removal vary. Some trees have large root masses that cannot be built around, some have poor location within the sidewalk, others have health or structural concerns. Most of the trees affected by this project were assessed by an independent arborist in 2023, and that report documented approximately 20 trees with health or structural deficiencies.

Due to the different street and sidewalk cross-sections involved in this project, several solutions for the street trees will be implemented. Some trees will be retained, and the sidewalk relocated, or the grade raised to go over the existing roots. In some areas, new tree planting cells will be constructed underneath the new sidewalk areas, which will give the new trees ample space for root mass development. Other trees will be replanted within a planter median between the curb and sidewalk.

Lighting

The existing street lighting system is outdated and inadequate along both sides of 80th Avenue SE. The new street lighting system will include installation of a control cabinet, conduits, wiring, concrete poles, and light fixtures. It will also utilize conduits on the west side of 80th Avenue SE installed in the 1990's and retain most of the existing concrete poles. The level and quality of lighting will be improved on both sides of 80th Avenue SE from SE 28th to SE 32nd Streets.

At the completion of design, the engineer's estimate for construction was \$1,650,000.

BID RESULTS

Five construction bids were received on June 26, 2024. The lowest bid was from Always Active Services, LLC for \$1,590,160, which is approximately 4% below the engineer's estimate. The following table shows the bid results.

80 TH AVENUE SE PEDESTRIAN IMPROVEMENTS BID RESULTS	
COMPANY NAME	TOTAL BID AMOUNT
Always Active Services	\$1,590,160.00
Active Construction Inc.	\$1,838,838.00
Westwater Construction	\$2,115,400.00
Gary Merlino Construction Company	\$2,137,716.00
Kamins Construction	\$2,291,294.90
ENGINEER'S ESTIMATE	\$1,650,000.00

The apparent low bidder, Always Active Services, LLC from Snohomish, has successfully completed numerous projects for the nearby cities of Everett, Kirkland, Shoreline, and Lynnwood in recent years.

A review of the Labor and Industries (L&I) website confirms Always Active Services is a contractor in good standing with no license violations, outstanding lawsuits, or L&I tax debt. Based on review of Always Active Services' bid submittal and reference checks, staff has determined that Always Active Services is the lowest responsive bidder for this project and staff recommends awarding the 80th Avenue SE Pedestrian Improvements project to Always Active Services, LLC.

PROJECT BUDGET

Adding amounts for design, construction contingency, construction services/inspection, project management, and 1% For the Arts brings the total estimated project cost to \$2,184,711, which is \$808,711 more than the current budget of \$1,376,000. Project costs and budget are summarized in the following table.

80TH AVENUE SE PEDESTRIAN IMPROVEMENTS PROJECT BUDGET	
DESCRIPTION	TOTAL
Design	\$190,125
Construction Contract Award to Always Active Services	\$1,590,160
Construction Contingency @ 15%	\$238,524
Construction Services and Inspection	\$85,000
Project Management/In-House Staff Support	\$65,000
1% for the Arts	\$15,902
Total 80th Avenue SE Pedestrian Improvements Cost	\$2,184,711
Total Available Project Budget	\$1,376,000
Budget Appropriation Required	\$808,711

The initial project budget authorized in the 2023-2024 CIP – amounting to \$1.38 million – was funded via traffic safety enhancement funds as outlined in section five of the 2017 Settlement Agreement with Sound Transit. To complete the 80th Avenue SE Pedestrian Improvement project as described above, staff recommends the City Council appropriate \$808,711 from the Street Fund balance.

NEXT STEPS

Construction of the 80th Avenue SE Pedestrian Improvements is tentatively scheduled to begin in August 2024 and be substantially complete by the end of December.

Businesses and residents in the area will be notified of the project prior to the start of construction and a Let's Talk page has been created for ongoing communications throughout construction.

RECOMMENDED ACTION

Award the 80th Avenue SE Pedestrian Improvements project to Always Active Services, LLC, a Washington-based company, and authorize the City Manager to execute a contract with Always Active Services, LLC in an amount not to exceed \$1,590,160; appropriate an additional \$808,711 from the Street Fund balance for the project; and set the total project budget at \$2,184,711.