

# Department of Public Works

City Hall  
730 Washington Avenue  
Racine, Wisconsin 53403  
(262) 636-9121 - Public Works  
(262) 636-9191 - Engineering




Mark H. Yehlen, P.E.  
Commissioner of Public Works/City Engineer

Thomas M. Eeg, P.E.  
Asst. Comm. of Public Works/Operations

John C. Rooney, P.E.  
Asst. Comm. of Public Works/Engineering

## MEMO

**TO:** Public Works and Services Committee

**FROM:**  Mark Yehlen, Commissioner of Public Works

**DATE:** February 14, 2017

**SUBJECT:** Request to Waive Formal Bidding Procedures and Contract with Safe Step LLC for Sidewalk Inspection Services and “Angled Saw-Cutting” of Sidewalk Vertical Displacements

Request that formal bidding procedures to be waived and the City be authorized to contract with Safe Step LLC, a franchisee of Precision Concrete Cutting, to visually inspect portions of the city’s sidewalk system to identify trip hazards as well as sections of sidewalk that should be removed/replaced or “mud-jacked”, and for the abatement of specific trip hazards on sidewalks via a proprietary “angled saw-cutting” technique using the price structure agreed to in Contract 20160056.

The 2017 – 2026 Ten Year Capital Improvement Plan includes \$400,000 in General Obligation Bond Debt funding in 2017 for sidewalk repairs and replacements in the right-of-way, continuing the sidewalk maintenance system instituted in 2016. Safe Step’s services were integral to this program’s initial success, and their letter of January 30, 2017, attached as Enclosure (1), extends the 2016 contract price structure for 2017.

Resolution 0112-16 waived formal bidding procedures and authorized the City to contract with Safe Step in 2016 to inspect sidewalks, provide proprietary angled-saw cutting of vertical displacements where appropriate, and draft scopes-of-work for sidewalk replacement and mud-jacking contracts. Safe Step’s proprietary angled saw cutting equipment and operating procedures produced repairs that are performing as well as new concrete at 35% to 50% of the cost of removal/replacement. No other contractor can replicate the quality of their angled saw-cutting system. Patent information, description of their proprietary process, and copies of sole source authorizations from the U.S. Department of Housing and Urban Development and various municipal governments are attached as Enclosure (2).

Fiscal Note: The estimated cost of this service will not exceed \$200,000, and funding is available in the 2017 – 2026 Capital Improvement Plan, Account 45040 57515 Dpw-Sidewalks.

MHY:mhy



January 30, 2017

Mr. Mark Yehlen  
Commissioner of Public Works  
730 Washington Avenue  
Racine, WI 53403

Dear Mark:

I wanted to express my appreciation to you and the common council for entrusting Safe Step LLC with your inaugural restructured sidewalk program. Based on the financial savings as well as the positive comments you relayed to us, I'm pleased to hear it was successful for your department, the common council, and most importantly your residents. It is my strong desire to continue our relationship with the city in 2017 as I believe it is mutually beneficial, as well as extremely important to continue to build the program on a strong foundation.

I know that your council takes their role as stewards of the city resources seriously, and I appreciate the trust they placed in us with the sole source award for 2016. Should your council see fit to move forward with another sole source contract in 2017, I would be pleased to once again extend the 2016 price structure.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Ott", with a long horizontal line extending to the right.

Chris Ott  
Safe Step LLC  
920.202.0954  
chris@notrippin.com  
www.safesidewalks.com





3191 N. Canyon Road Provo, UT 84604  
P: (801) 224-0025 F: (801) 224-0062  
www.SafeSidewalks.com

March 24, 2016

Mark H. Yehlen, Commissioner of Public Works  
City of Racine  
730 Washington Avenue  
Racine, WI 53403

RE: Patent information

Dear Mr. Yehlen,

Due to the nature of our business and our patented equipment and methods, frequently we have been asked to provide a letter stating that our technology relies upon patents that have been issued by the US Patent and Trademark office.

Precision Concrete Cutting is the only company authorized to use the patented equipment and method for removing sidewalk trip hazards as described by the following patent numbers:

U.S. Pat. No. 6,827,074  
U.S. Pat. No. 6,896,604  
U.S. Pat. No. 7,000,606  
U.S. Pat. No. 7,143,760  
U.S. Pat. No. 7,201,644  
U.S. Pat. No. 7,402,095

If you have any questions or comments please feel free to give me a call.

Regards,

Matthew Haney, President  
Precision Concrete Cutting  
3191 N. Canyon Rd  
Provo, Utah 84604  
(801) 373-3990



1 OF 14

ENCLOSURE (2)

## Precision Concrete Cutting

Precision Concrete Cutting (PCC) is the Nation's Leading trip hazard removal company. Over the last 10-15 years PCC has developed and patented certain equipment and processes that are unique and proprietary to PCC. These patents have been successfully defended in court and many cities, universities and institutions have used PCC's Sole Source letter to conduct business with PCC to utilize its unique results that cannot be produced by other contractors or methods.

Below is further explanation of what makes PCC's equipment, processes and results unique and which can only be performed by PCC's equipment and personnel.

1. Trip hazards are saw cut in complete accordance with the requirements of the Americans with Disabilities Act with PCC's **patented**, flush mounted, vertical saw. Each offset is tapered at a precise 1:8 slope and has a smooth, uniform appearance and texture.

The saw is mounted flush to the ground with a **patented** connecting harness and is capable of working at any angle and capable of performing the required trip hazard removal in hard-to-reach areas, around obstacles, on narrow walkways, next to fences and retaining walls or buildings

PCC's method of trip hazard removal only entails cutting of the cement with the **patented** equipment that allows for flush and angle cutting to a required precise slope. There is never any grinding or pulverization of the cement as this is not capable of meeting ADA specifications but does result in an unsightly finished panel.

2. PCC's saw cutting repairs the panel to a zero point of differential to the adjacent opposing side, and to both edges of the sidewalk to eliminate the trip hazard over the full width of the sidewalk.
3. The removed trip hazard leaves a uniform appearance and texture. The technique PCC uses has been tested and provides a finished surface with a coefficient of friction well over the .5 required by OSHA.
4. The equipment fits a 3 to 4 foot wide sidewalk panel which allows the work to be performed without the need to close streets to traffic. It also is self contained so it can be used in the middle of a park or campus without the need of vehicular support.
5. PCC's saw equipment includes a **patented** dust collection system installed on the saw to collect dust. Debris and concrete dust is cleaned from the sidewalk surface as well as the surrounding rails, sidewalks, driveways, landscaping, and/or other objects in the

vicinity of work. At no time is concrete dust, slurry or debris allowed to enter the storm drain system (including valley gutters, inlets, manholes and pipes).

6. PCC uses a **proprietary** data collection device that records the details of the work and transmits the data electronically. The recording device records sizes of each individual hazard along with the hazard location plotted to a map with address, description and GPS coordinates. This data is then transmitted electronically to the PCC office for integration into a GIS system. This information is used in the preparation of the client proposal, the technicians work order and the final invoicing which allows for the work to be fully audited by the client.

# U. S. Department of Housing and Urban Development



Office of Public Housing

Region VIII, Denver  
1670 Broadway Street  
Denver, Colorado 80202-4801

Phone: 303-672-5372  
Fax: 303-672-5065  
Web: www.hud.gov

May 17, 2012

Gib Glasson  
Director of Facilities  
Housing Authority of Billings  
2415 1<sup>st</sup>. Avenue North  
Billings, MT 59101

Dear Mr. Glasson:

This is in response to your letter of May 4, 2012, requesting approval for a sole source procurement to Precision Safe Sidewalks, Inc. We have reviewed the sole source justification and find it acceptable. Please prepare a cost analysis of their proposal to determine if the price is fair and reasonable.

If you have any questions or concerns, please contact me at 303-672-5371.

Sincerely,

A handwritten signature in blue ink that reads "Dave Rossi".

Dave Rossi  
General Engineer  
Office of Public Housing

4 OF 14

ENCLOSURE (2)

TIPHAKE

# CITY OF RICHMOND SOLE SOURCE REQUEST

THIS FORM MUST BE COMPLETED AND APPROVED PRIOR TO ANY PURCHASE

Contact the Purchasing Division and discuss your rationale before completing this form. If Purchasing can help you make this a competitive purchase, then this form will not be required.

When a request is made for a non-competitive procurement and the specification limits the bidding to one source and/or one brand or trade name, the requesting department must complete this form: (Please answer the following questions as fully as possible and provide and attach supporting documentation)

1. Name, city and state of the proposed vendor.  
PRECISION CONCRETE CUTTING, P.O. Box 8013, Foster City, Ca. (650) 867-8657
2. Briefly describe the product or service you propose to purchase. Include appropriate detail such as manufacturer, brand name, model number, part number, etc. for products and the type service to be performed for services.

Precision Concrete Cutting (PCC) provides trip hazard repair from uneven sidewalks and other concrete walkways. This is a Nationwide Franchise Services.

Initial Estimated Cost: \$ 40,000 1/8 ~~9,950.00~~ Funding Source: PUBLIC WORKS

3. Please check one:
  - a.  SOLE SOURCE: Item/Service is available from one source only. Item/Service is one-of-a-kind and is not competitively available. (If there is an exclusive distributor for this area, verify this fact in writing with the manufacturer and attach to this request.)
  - b.  SOLE BRAND: Various sources can supply the specified model and brand; competitive bids will be solicited for the requested brand only. (Clearly describe why no other product meeting form, fit or function will do)
  - c.  SINGLE SOURCING: Services or purchases directed to one source because of standardization of parts or design, warranty or other factors, even though other competitive sources may be available. (This requires further discussion with the Purchasing Division)
4. What are the unique performance features of the product/brand requested that are not available in any other product/brand? (For services: What unique qualifications, rights, degrees, certifications, licenses and/or experience does this vendor possess?)

Precision Concrete Cutting (PCC) provides trip hazard repair from uneven sidewalks and other concrete walkways. This is a Nationwide Franchise Services.

SOLE SOURCE REQUEST – Continued VENDOR'S NAME: \_\_\_\_\_

5. Why are the unique performance features REQUIRED (not merely preferred), and how would your requirement be inhibited without this particular service/item?

SEE ABOVE

6. What other products/services have been examined and rejected, and why? (Please provide a specific meaningful explanation, one vendor and/or one feature at a time. For products be sure to clearly identify the product by name and model number and include the name, address, and telephone number of the company representative who you contacted during your research or product testing.) IF ADDITIONAL SPACE IS NEEDED PLEASE ATTACH.

SEE ABOVE

7. If justification is based on matching and/or intermixing with existing equipment (refer to 3.c.), list the quantity, manufacturer, brand, and model of the existing equipment, and why the matching is required not simply preferred.

SEE ABOVE

I HEREBY CERTIFY THAT:

1. I am an approved department representative, and am aware of the City's requirements for competitive bidding, as well as the criteria for justification for sole source/brand/single source procurements.
2. I have gathered the required technical information and have made a concentrated effort to review comparable and/or equal equipment/services.
3. There is validity as to the information contained herein justifying my request for sole source/brand/single source procurement and meeting the City's criteria.
4. A sole source/brand/single source procurement in this case will withstand a possible audit or a vendor's protest.

REQUESTOR YADER A. BERMUDEZ DATE: 12/7/11 PHONE: (510) 774-6300

DEPT. DIRECTOR(Print) YAB (Sign) [Signature] DATE: 1/1

Submit completed form to the Purchasing Division (Prior to submission to City Manager)

Finance Director:

APPROVED: [Signature]  
NOT APPROVED: \_\_\_\_\_

DATE: 12/7/11  
COMMENTS:

City Manager  
(Under \$10,000.00)

City Clerk Attesting to Council Approval  
(Over \$10,000.00) (Copy of Minutes may be substituted)

NOTE: RICHMOND MUNICIPAL CODE SECTION 2.52.326 SOLE SOURCE PROCUREMENT REQUIRES FINAL APPROVAL BY THE CITY MANAGER AND/OR CITY COUNCIL

11/08/11



**AGENDA ITEM 3.7**

**CITY OF LARKSPUR**  
Staff Report

March 5, 2014 City Council Meeting

**DATE:** March 5, 2014  
**TO:** Larkspur City Council  
**FROM:** Mary Grace Houlihan, Director of Public Works  
**SUBJECT:** AUTHORIZE A CONSTRUCTION SERVICES AGREEMENT WITH  
PRECISION CONCRETE CUTTING TO REMOVE SIDEWALK OFFSETS  
AND INSPECT PUBLIC WALKS

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**ACTION REQUESTED:**

Authorize a Construction Services Agreement with Precision Concrete Cutting for removal of sidewalk offsets and to perform a sidewalk inspection for an amount not to exceed \$58,000.

**BACKGROUND:**

Over time concrete sidewalks have a tendency to shift and settle creating offsets between concrete panels. In order to minimize trip hazards in the public right of way concrete cutting is used to flatten the offsets in the concrete walks. Precision Concrete has performed an assessment of the concrete offsets along the length of Magnolia Avenue and has provided a proposal to perform concrete cutting to remove the offsets and assess the balance of the Concrete walks throughout the City for an amount not to exceed \$58,000.

**FISCAL IMPACT:**

Funds for this work are included in the FY2013-2014 budget for ADA improvements.

**STAFF RECOMMENDATION:**

Staff recommends that Council authorize the City Manager to execute the Construction Services Agreement for removal of sidewalk offsets and to perform a sidewalk inspection for an amount not to exceed \$58,000.

**AGENDA ITEM 3.7**

Respectfully submitted,

Mary Grace Houlihan  
Director of Public Works/City Engineer

Attachments:       Resolution  
                          Construction Services Agreement

**CITY OF LARKSPUR  
RESOLUTION No. 10/14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LARKSPUR  
AUTHORIZING THE CONSTRUCTION SERVICES AGREEMENT BETWEEN THE  
CITY OF LARKSPUR AND PERCISION CONCRETE CUTTING FOR:**

**REMOVAL OF SIDEWALK OFFSETS ALONG MAGNOLIA AVENUE  
SIDEWALKS AND ASSESSMENT OF CITYWIDE PUBLIC CONCRETE WALKS**

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**WHEREAS**, Over time concrete sidewalks have a tendency to shift and settle creating offsets between concrete panels and in order to minimize trip hazards in the public right of way concrete cutting is used to flatten the offsets in the concrete walks;

**WHEREAS**, Precision Concrete has performed an assessment of the concrete offsets along the length of Magnolia Avenue and has provided a proposal to perform concrete cutting to remove the offsets and assess the balance of the Concrete walks throughout the City for an amount not to exceed \$58,000;

**WHEREAS**, Based on a review and examination of scope of services and fee the City Engineer has found the proposal to be reasonable;

**WHEREAS**, The City Council authorizes the City Manager to execute the Construction Services Contract with Precision Concrete Cutting for removal of sidewalk offsets along Magnolia Avenue and assessment of the Citywide public concrete walks; and

**WHEREAS**, All services provided via Construction Services Agreement with Precision Concrete Cutting have been budgeted in the FY 2013-2014 budget for ADA Improvements.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Larkspur hereby resolve, declare, determine and order as follows:

1. The recitals above are found to be true and correct and constitute the findings of the City Council made in support of this resolution.
2. The City of Larkspur is authorized to expend the sums necessary to compensate Precision Concrete Cutting for removal of sidewalk offsets and assessment of citywide public concrete walks, and budgeted in the FY 2013-2014 budget for ADA Improvements.

3. The City Manager and/or his designee is authorized and directed to execute the construction services agreement with Precision Concrete Cutting for an amount not to exceed \$58,000 and take all other action necessary to consummate said transaction.

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**IT IS HEREBY CERTIFIED** that the City Council of the City of Larkspur duly introduced and regularly adopted the foregoing resolution at a regular meeting held on the 5<sup>th</sup> day of March , 2014, by the following vote, to wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

\_\_\_\_\_  
MAYOR

ATTEST:

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CITY CLERK

# City of Calistoga

## Staff Report

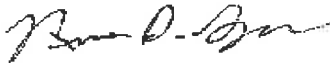
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**TO:** Honorable Mayor and City Council  
**FROM:** Michael Kirn, Public Works Director/City Engineer  
**DATE:** July 15, 2014  
**SUBJECT:** Consideration of a Resolution Authorizing a Sole Source Contract with Precision Concrete Cutting in an Amount Not to Exceed \$25,000 for Phase II of the Sidewalk Repair Program

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APPROVAL FOR FORWARDING:



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Richard D. Spitler, City Manager

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2 **ISSUE:** Consideration of a Resolution authorizing a sole source contract with Precision  
3 Concrete Cutting (PCC) in an amount not to exceed \$25,000.  
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5 **RECOMMENDATION:** Adopt resolution.  
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7 **BACKGROUND:** On September 6, 2011, the City Council approved a Sidewalk Repair  
8 Program breaking the City into four Sectors and approving a multistep abatement plan as  
9 follows:  
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- 11 a. Sidewalks within a Sector will be inspected by a qualified inspection contractor  
12 and trip hazards of less than 1.75-inches in height will be repaired at City cost.  
13 b. The inspection contractor will provide written itemization of trip hazards greater  
14 than 1.75-inches in height within the Sector for future abatement.  
15 c. Public Works will notice property owners who have trip hazards that exceed 1.75-  
16 inches in height of their responsibility to abate the trip hazard with an offer to cost  
17 share the abatement on a 50/50 split.  
18 d. Property owners have the option of: (a) Performing the sidewalk repair  
19 themselves and not participating in the 50/50 cost-share; (b) Selecting their own  
20 contractor to perform the repair and submitting the invoice for a 50/50 cost-share  
21 reimbursement; or (c) Partnering with a larger aggregated City sidewalk repair  
22 contract and paying their split of the costs. In all cases a City encroachment  
23 permit is required with a recommended zero dollar fee if the property owner  
24 causes the work to be completed.  
25 e. If the noticed abutting property owner does not choose to repair the trip hazard,  
26 then the City Public Works Department, as obliged under the Streets and  
27 Highway Code will make the repair and charge all costs as a lien on the property.

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**DISCUSSION:** Grinding concrete produces a variety of quality of final finishes depending on the level of effort expended and the experience of the contractor. As such, it is difficult to develop a specification for a “finished product” and accept as “complete” a publicly bid sidewalk grinding project. In light of this, staff has previously recommended that the City abate minor trip hazards utilizing a proprietary “angled saw cutting” technique. This resulted in a cleaner and neater repair that can be accurately sloped to meet ADA standards, has a reliable standard of quality, and can be measured for payment.

With the City’s improved financial condition we are in a position to move forward with Phase II of the sidewalk repair program this summer and fall. Given the success of the previous “angled saw-cutting” staff is recommending that the Council approve a sole source contract with Precision Concrete Cutting (PCC), the contractor who performed similar work for the City in Sector A in 2011. PCC has satisfactorily performed this service for over 30 Bay Area cities, including Santa Rosa, Rohnert Park, Healdsburg and American Canyon.

Under the Uniform Construction Cost Accounting Procedures, and PCC’s proprietary methods, the City can sole source services up to \$35,000 annually. We requested a proposal from PCC for abatement of minor trip hazards and staff has determined that the proposal from PCC for “angled saw cutting” at \$30 per inch-foot (an “inch-foot” is equivalent to repairing a 1-inch high and 1-foot long trip hazard) is reasonable and PCC is qualified to perform the desired work.

Staff recommends that the Council adopt a resolution authorizing the City Manager to execute a sole source agreement with PCC in an amount not to exceed \$25,000 for inspection and “angled saw cutting” of trip hazards in “Sector B” and refreshing “Sector A”.

**CONSISTENCY WITH CITY COUNCIL GOALS AND OBJECTIVES:** The recommended action supports the FY 2014/15 City Council Goal 3: Establish, improve and maintain City infrastructure; Objective No. 3 “Provide for long term maintenance and repair of City sidewalks.”

**FISCAL IMPACT:** The FY 14/15 CIP adopted budget includes \$115,000 for sidewalk trip hazard repair, Account Number 01-5530-4915. The recommended resolution allocates \$25,000 to abatement of minor trip hazards in Sector B and refreshing of Sector A. \$90,000 is available for abatement of more extensive sidewalk repairs in Sector A which would be completed under a separate contract. As previously approved, these repairs are envisioned to be completed under a 50/50 cost-share with abutting property owners.

**ATTACHMENTS:**

1. Resolution
2. Proposal from PCC dated June 3, 2014
3. Map of Phased Sidewalk Trip Hazard Inspection and Repair Program

**RESOLUTION NO. 2014 – XXX**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,  
COUNTY OF NAPA, STATE OF CALIFORNIA, AWARDING A SOLE SOURCE  
CONTRACT TO PRECISION CONCRETE CUTTING FOR PHASE II OF THE  
SIDEWALK TRIP HAZARD REMOVAL PROJECT**

**WHEREAS**, in September 2011, the Council directed the Public Works Department to proceed with a policy for a phased approach to inspection and repair of sidewalk trip hazards throughout the City; and

**WHEREAS**, the City desires to attain quality inspection and concurrent repair for minor trip hazards under 1.75-inches in height and has determined that the “angled saw cutting” repair method is preferred; and

**WHEREAS**, Precision Concrete Cutting (PCC) has developed a proprietary method to perform this saw cutting repair and has successfully provided this service for over 30 Bay Area cities, including Calistoga; and

**WHEREAS**, in conformance with the Uniform Construction Cost Accounting Procedures and because of PCC’s patented methods, the City wishes to sole source their services in an amount not to exceed \$25,000 for FY 14-15; and

**WHEREAS**, staff has reviewed the proposal from PCC date June 3, 2014 and found: it to be acceptable and cost effective compared to alternative methods, provides a better and safer finished product; and that PCC is qualified to perform the desired services; and

**WHEREAS**, there are sufficient funds in the FY 2014-15 CIP Budget, Account Number 01-5530-4915 for the desired service.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Calistoga finds as follows:

1. That under the Uniform Construction Cost Accounting Procedures and the Calistoga Municipal Code the City can award sole source contracts for proprietary or patented services when determined to be cost effective.
2. That the proposed work consists of the repair and maintenance of existing public features, involving negligible or no expansion of use beyond that which currents exists and is therefore Categorically Exempt from CEQA pursuant to Section 15301 (c) - Existing Facilities.

**BE IT FURTHER RESOLVED** by the City Council of the City of Calistoga that:

- 1 A contract is hereby awarded to Precision Concrete Cutting an amount

45 not to exceed \$25,000 for Phase II of the Sidewalk Trip Hazard Removal  
46 Project as outlined in their June 3, 2014 proposal.

47 2. The City Manager is hereby authorized to execute the Contract in a form  
48 consistent with the City's Standard construction contract and subject to  
49 Precision Concrete Cutting submitting the required insurance and other  
50 contract documents.

51 **PASSED, APPROVED, AND ADOPTED** by the City Council of the City of  
52 Calistoga at a regular meeting held this 15<sup>th</sup> day of July 2014, by the following vote:

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**AYES:**

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**NOES:**

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**ABSTAIN:**

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**ABSENT:**

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**CHRIS CANNING, Mayor**

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**ATTEST:**

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**KATHY FLAMSON**  
**Deputy City Clerk**

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