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GENERAL SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

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FACILITY & PROPERTY MANAGEMENT
DIVISION

September 7, 2004

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: OLD SACRAMENTO AMERICANS WITH DISABILITIES (ADA) UPGRADE PROJECT (CIP: RK31) - AUTHORIZE CITY MANAGER TO DELIVER PROJECT WITH UTILIZING BOTH CITY STAFF AND CONTRACTORS, TRANSFER FUNDS, AND SUSPEND COMPETITIVE BIDDING AND AWARD OF CONSTRUCTION CONTRACT TO C & C CONSTRUCTION

LOCATION AND COUNCIL DISTRICT: Old Sacramento, Council District 1

RECOMMENDATION:

This report recommends City Council adopt the attached resolution:

- Authorizing the City Manager to provide access improvements for the Old Sacramento boardwalk utilizing both City employees and contractors.
- Authorizing the City Manager to transfer \$1.7 million from Fiscal Year '05 Gas Tax Contingency (Fund: 202-710-7012-4999) to CIP: RK31.
- Authorizing the City Manager to transfer up to an additional \$100,000 in Gas Tax Contingency funds to the project provided such revenues are available when the FY2003/04 Comprehensive Annual Financial Report (CAFR) is adopted.
- Suspending formal competitive bidding.
- Authorizing the City Manager to execute a contract with C & C Construction (C&C) for ADA compliant boardwalk ramps, in an amount not to exceed \$200,000.

CONTACT PERSONS: Cynthia Kranc, Facilities Superintendent, 433-2258
Gene Moore, Facilities & Property Manager, 433-6319

FOR COUNCIL MEETING OF: September 21, 2004

SUMMARY:

Settlement of the *Mclver, et al. v. City of Sacramento (Old Sacramento)* lawsuit mandated disability compliance improvements to several areas: 1) on- and off-street parking in Old Sacramento, 2) the K Street tunnel, and 3) the boardwalks. This work is to be completed by December 31, 2004. Disability improvements to on- and off-street parking and the K Street tunnel have already been completed. The original cost estimates for this project did not take into account the extensive scope, time and detail that are required for this job. Therefore, in order to complete the project in compliance with the December 31, 2004 deadline at the lowest cost, staff recommends utilization of permanent and temporary City staff and use of contractors for specialty items. Staff also recommends suspending competitive bidding as to the construction of concrete ramps in Old Sacramento and awarding of the contract to C&C. With the implementation of these cost-saving measures, the project requires augmentation of \$1.8 million.

COMMITTEE/COMMISSION ACTION: None.

BACKGROUND INFORMATION:

- The Old Sacramento ADA Upgrade Project (PN: RK31) includes multiple sub-projects mandated by settlement of *Mclver v. City of Sacramento*. Disability improvements to on and off street parking and the K Street tunnel have already been completed. The boardwalk project is the last to be completed. All of the corrective work will be performed in compliance with the standards and specifications for disabled access as set forth in the California Code of Regulations, Title 24-2 and the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- The court approved settlement agreement mandates completion of disability improvements to the Old Sacramento boardwalk by December 31, 2004.
- An architectural design was required for the boardwalk replacement to meet the ADA requirements while still having to maintain the historic look and accommodate the varying levels of shop thresholds and the need for street-to-boardwalk access. This design is now complete, and the scope of work is extensive.
- The initial estimate for this project was provided at the time of settlement. It was based on best knowledge at the time, but was without the details of the extensive design and fabrication requirements. After plans and specifications were revised including all of the required details, the boardwalk construction was estimated at \$4.7 million. The project was initially funded with \$2.1 million. To date, \$800,000 has been spent on architectural design, the K Street underpass ramps and three (3) pilot boardwalk improvement projects, leaving a balance of \$1.3 million.
- It will take extensive hours of manual labor to replace the required sections of the Old Sacramento boardwalks. Staff anticipates hiring specialty contractors and temporary employees as needed to support Facilities Maintenance for this project.

City Council

Old Sacramento Americans With Disabilities (ADA) Upgrade Project (CIP: RK31)

September 7, 2004

- After performing three (3) test sections staff is learning the intricate detail and requirements of the project. With savings created by using in-house employees, temporary positions, and specialty contractors, staff recommends a revised construction budget of \$3.1 million. This requires an additional \$1.8 million to complete this project. The current unobligated balance in CIP: RK31 is \$1.3 million.
- C & C has a current City contract for work on sidewalks, curbs and gutters. C&C will work under the same terms and conditions. They are knowledgeable about the idiosyncrasies of Old Sacramento, and they have the resources, equipment and capacity to move quickly in sporadic sequences and meet this short timeline while minimizing impact on other work with the City.
- Due to the timesavings, work experience, and efficiencies gained from the above facts, it is in the City's best interest to suspend competitive bidding and award the contract for curb ramps to C & C Construction.

FINANCIAL CONSIDERATIONS:

The preliminary funding to set up an initial Capital Improvement Project (CIP) was set at \$2.1 million. This amount was roughly estimated at the time of settlement prior to the survey and project design. Subsequently, an architect provided the design, with a projected construction cost of \$4.7 million with out-sourcing the work, (for a total project cost of \$5.5 million). Staff did a pilot project to determine how to do this work with more in-house and smaller contracting work. Each site in Old Sacramento is different and three (3) test sections were done. Savings to the project and to the schedule will be significant by utilizing primarily City employees due to several reasons: 1) the work will be completed faster, with fewer delays, 2) less disruption to businesses in Old Sacramento, and 3) no potential change orders that would cause serious time delays. With this scenario, staff estimates the remaining construction on this project to be \$3.1 million, \$1.6 million less than the architect's revised estimate. This requires a budget augmentation of \$1.8 million which will bring the total project budget to \$3.9 million, \$1.6 million less than the \$5.5 million estimated at the time of the initial drawings.

The FY2004/05 Gas Tax Contingency as approved by Council is \$1.7 million, which is \$100,000 less than the augmentation required. Preliminary review of the Gas Tax FY2003/04 year-end results indicates that the actual revenues are anticipated to exceed budgeted revenues. As a result, staff recommends that Council authorize appropriation of \$1.7 million from Gas Tax Contingency to the Old Sacramento Boardwalks project immediately. In addition, staff recommends that once the FY2003/04 CAFR is adopted, the additional \$100,000 be appropriated to the project provided funds are available as expected. With approval of the proposed contingency adjustments there will be adequate resources available to cover the proposed \$1.8 million budget augmentation for this project (RK31). The proposed augmentations from contingency are not anticipated to impact the current five-year Transportation CIP program.

ENVIRONMENTAL CONSIDERATIONS:

This project has been determined to be exempt from the requirements of the California Environmental Quality Act (CEQA), under Section 15331: Projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

POLICY CONSIDERATIONS:

The project is consistent with the City's Strategic Plan to enhance and preserve neighborhoods.

ESBD CONSIDERATIONS:

C & C Construction is a certified Small Business Enterprise with the Emerging and Small Business Development (ESBD) Program with the City.

Respectfully submitted,



Cynthia Kranc
Facilities Superintendent

Approved:


Gene Moore
Facilities & Property Manager

RECOMMENDATION APPROVED:


ROBERT P. THOMAS
City Manager

Approved:

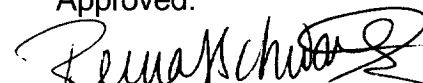

Reina J. Schwartz
Director, Department of General Services

TABLE OF CONTENTS:

Resolution – page 5.

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO DELIVER OLD SACRAMENTO AMERICANS WITH DISABILITIES (ADA) UPGRADE PROJECT (CIP: RK31) WITH CITY STAFF AND CONTRACTORS; APPROVING CIP: RK31 BUDGET AUGMENTATION; AND SUSPENDING COMPETITIVE BIDDING AND AWARDING OF CONSTRUCTION CONTRACT TO C & C CONSTRUCTION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

- The City Manager is authorized to provide access improvements for the Old Sacramento boardwalk utilizing a combination of City employees and contractors as needed;
- The City Manager is authorized to transfer \$1.7 million from Fiscal Year 2004/05 Gas Tax Contingency (Fund: 202-710-7012-4999) to CIP: RK31;
- The City Manager is authorized to transfer up to an additional \$100,000 in gas tax contingency funds to the project provided such revenues are available when the FY2003/04 Comprehensive Annual Financial Report is adopted;
- Formal competitive bidding is suspended. There are time constraints associated with the settlement agreement, unknown conditions associated with the project, and time demands associated with the formal competitive bidding requirements of the City Code. C & C Construction has curb ramp experience with the City, experience in Old Sac, and has resources, equipment and capacity to meet the requirements of this project. Therefore it is in the best interest of the City to suspend competitive bidding and award the ramp contract to C & C Construction; and
- The City Manager is authorized to execute a contract with C & C Construction for ADA compliant boardwalk ramps, in an amount not to exceed \$200,000.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____