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DEPARTMENT OF
PUBLIC WORKS

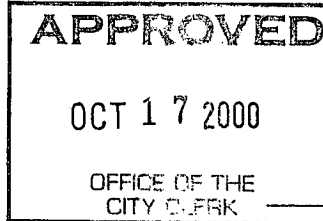
CITY OF SACRAMENTO
CALIFORNIA

927 10th STREET
SUITE 300
SACRAMENTO, CA
95814-2702

TECHNICAL SERVICES
DIVISION

PH 916-264-8300
FAX 916-264-7903

September 27, 2000



CO 2000 -176

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: AWARD OF CONSTRUCTION CONTRACT FOR WATER PLAYGROUND AT ROBERTSON PARK FOR \$174,630. (PN: LN91)

LOCATION AND COUNCIL DISTRICT:

Robertson Park, located at 3525 Norwood Avenue, Sacramento, Council District 2

RECOMMENDATION:

This report recommends that the City Council adopt the attached Resolution which:

- Approves the reprogramming of \$135,000 from the Robertson Community Center Expansion Study (CE51) to the Water Playground at Robertson Park (LN91).
- Awards the Construction Contract in the amount of \$174,630 to C & C Construction, Inc. for the construction of the wading pool at Robertson Park.

CONTACT PERSON: Mike George, Project Manager, 264-8433

FOR COUNCIL MEETING OF: October 17, 2000

SUMMARY:

- On August 7, 2000 Construction Documents were released for the Water Playground at Robertson Park. On August 30 bids were received for the construction of this project; C & C Constructions, Inc. submitted the lowest bid and is ready to begin construction.
- This project has previously been proposed for an additional \$135,000 from the one-time unallocated CIP funds to cover expanded project scope.

City Council

Approval of Construction Agreement in the amount of \$174,630

For Water Playground at Robertson Park (PN:LN91)

September 27, 2000

- The timing of the Robertson Community Center Expansion Study (CE51) project allows for the reallocation of \$135,000 to award the Water Playground project at this time. It is proposed that this funding be returned to the Community Center Expansion Study when City Council approves appropriations from the one-time unallocated CIP funds.
- This report request that the City Council authorize and direct the City Manager to execute the Construction Contract with C & C Construction, Inc. in the amount of \$174,630 for the construction of this project. A proposed \$70,000 additive alternate to purchase and install the play equipment is being negotiated, while some revisions are being made to reduce this additional cost.

COMMITTEE/COMMISSION ACTION: None.

BACKGROUND INFORMATION:

The Water Playground project was authorized in the 1999 - 2000 General Fund Capital Improvement Program. Due to change in project scope, the project has been proposed to receive an allocation of additional one-time CIP funds. The revised project includes much larger and more complex play equipment, a larger pool and revised support equipment.

The proposed allocations will be brought before Council in late October or early November. Due to timing and construction logistics, the Water Playground is being recommended now for an additional \$135,000 by way of a reallocation of appropriations from the Robertson Community Center Expansion Study. It will be proposed that the Community Center Expansion Study receive \$135,000 of the one-time allocation when the allocation recommendations are brought before Council.

Due to the desire to begin this construction project this construction season, avoiding winter weather conditions and further escalation of construction costs, it is in the City's best interest to begin construction as soon as possible.

Contractor	Bid Amount	ESBE Participation Goal 20%
C & C Construction, Inc.	\$174,630.00	86.26%
Western Water Features, Inc.	\$178,400.00	100.00%

The proposal received from C & C Construction, Inc. on August 30 was the lowest submitted. This agreement is ready to award to C & C Construction, and they are ready to begin construction in October, hopefully avoiding the winter rainy season.

FINANCIAL CONSIDERATIONS:

As part of the General Fund CIP process in the fall of 1999, \$170,000 was appropriated for Robertson Wading Pool with \$50,000 in General Fund support and \$120,000 in CDBG

City Council
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For Water Playground at Robertson Park (PN:LN91)
September 27, 2000

funding. Approval of this request will increase appropriations to \$305,000, which is sufficient to award the contract, add potential alterations and complete the project.

Appropriations for Robertson Community Center Expansion Study will be reduced by \$135,000 to \$115,000. A proposal to reinstate the \$135,000 to this project will be a part of the recommended allocation of one-time CIP funds due before Council in late October or early November.

ENVIRONMENTAL CONSIDERATIONS:

The Planning Services Division, Environmental Section, has reviewed the proposed project and has determined that this project is exempt from the California Environmental Quality Act (CEQA) under Section Number 15301 (a) of the CEQA Guidelines.

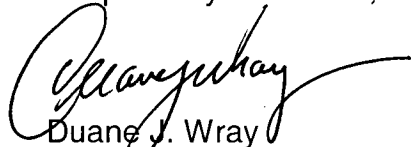
POLICY CONSIDERATIONS:

The action requested herein is consistent with Sacramento City Code, Title 3.

ESBD CONSIDERATIONS:

To encourage small and emerging business participation, plans and specifications were sent to 9 plan rooms and construction service organizations for publication. All are directly involved with ESBE construction firms. Staff actively recruited available ESBE firms to participate in the bid process. Project notices were sent to 30 organizations involved in ESBE recruitment. The project was also announced on the Project Information Line and on the City's Internet site at www.cityofsacramento.org/bids. C & C Construction met the ESBD goal.

Respectfully submitted,



Duane J. Wray
Technical Services Manager

RECOMMENDATION APPROVED:

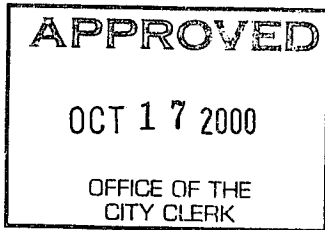


ROBERT P. THOMAS
City Manager

Approved:



Michael Kashiwagi
Director of Public Works



RESOLUTION NO. 2000-596

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVE REPROGRAMMING OF \$135,000 FROM THE ROBERTSON COMMUNITY CENTER EXPANSION STUDY TO THE WATER PLAYGROUND AT ROBERTSON PARK; AWARD CONSTRUCTION CONTRACT TO C&C CONSTRUCTION, INC.

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

- 1. The City Manager is hereby authorized to increase the appropriations of the Robertson Park Water Playground and decrease the appropriations of the Robertson Community Center Expansion Study as follows:

<u>Fund</u>	<u>Agency</u>	<u>Org</u>	<u>Object</u>	<u>Current Budget</u>	<u>Revised Budget</u>	<u>Increase (Decrease)</u>	<u>Accounting Reference</u>
101	500	CE51	4820	\$250,000	\$115,000	\$135,000	A
101	500	LN91	4820	\$50,000	\$185,000	(\$135,000)	A
EB Total:				\$300,000	\$300,000	0	A

- 2. Awards the Construction Contract in the amount of \$174,630 to C&C Construction, Inc. for the construction of the Wading Pool at Robertson Park.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

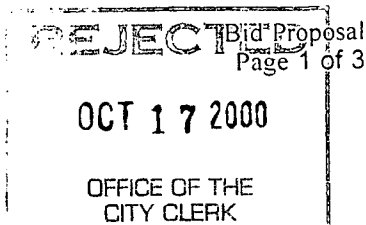
DATE ADOPTED: _____

CITY OF SACRAMENTO
Department of Public Works
Technical Services Division

FILED

AUG 30 2000

By The
Office of The City Clerk



TO THE HONORABLE CITY COUNCIL
SACRAMENTO, CALIFORNIA:

In compliance with the Contract Documents, the undersigned hereby proposes to furnish all required labor, materials, supervision, transportation, equipment, services, taxes and incidentals required for:

WATER PLAYGROUND AT ROBERTSON PARK (PN:LN91)

in the City and County of Sacramento, California.

The Work is to be done in strict conformity with the Contract Documents now on file in the office of the City Clerk for the following sum:

Item No.	Item	Estimated Quantity	Unit	Total
1	Construct Wading Pool	Job	LS	\$ <u>178,400.00</u>
Alt 1	Install SCS #110 Play Structure	Job	LS	\$ <u>66,000.00</u>
Base Bid & Alternate Total				\$ <u>244,400.00</u>

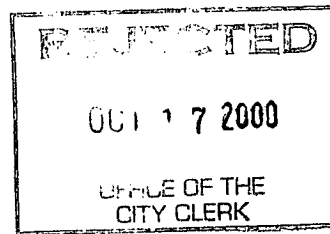
If awarded the Agreement, the undersigned agrees to sign said Agreement and furnish the necessary surety bonds and insurance certificates within ten (10) days after receipt of the notice of award of Agreement, and to begin work within fifteen (15) days after receipt of the Notice to Proceed by the City.

It is understood that this Bid Proposal is based upon completion of the Work within a period of **Fifty Six (56)** Calendar Days, commencing on the date set forth in the written Notice to Proceed issued by the City to the Contractor.

In determining the amount bid by each bidder, the City shall disregard mathematical errors in addition, subtraction, multiplication and division that appear obvious on the face of the Proposal. When such a mathematical error appears on the face of the Proposal, the City shall have the right to correct such error and to compute the total amount bid by said bidder on the basis of the corrected figure or figures.

When an item price is required to be set forth in the Proposal, and the total for the item set forth separately does not agree with a figure which is derived by multiplying the item price times the Engineer's estimate of the quantity of work to be performed for said item, the item price shall prevail over the sum set forth as the total for the item unless, in the sole discretion of the City, such a procedure would be inconsistent with the policy of the bidding procedure. The total paid for each such item of work shall be based upon the item price and not the total price. Should the Proposal contain only total price for the item and the item price is omitted, the City shall determine the item price by dividing the total price for the item by the Engineer's estimate of the estimated quantities of work to be performed as items of work.

If the Proposal contains neither the item price nor the total price for the item, then it shall be deemed incomplete and the Proposal shall be disregarded.



The undersigned has examined the location of the proposed Work, the local conditions at the place where the Work is to be done, is familiar with the Contract Documents and is familiar and expressly agrees to the liquidated damages provision of the Contract Documents.

The undersigned has checked carefully all of the foregoing figures and understands that the City of Sacramento will not be responsible for any errors or omissions on the part of the undersigned in making up this Bid Proposal.

Enclosed is Bid Proposal Guarantee, as required, consisting of a bidder's bond or other acceptable security for not less than ten percent (10%) of the amount Bid Proposal.

The undersigned agrees that all addenda received and acknowledged herein shall become a part of and be included in this Bid Proposal. This Bid Proposal includes the following addenda:

Add. #	<u>NONE</u>	DATE	_____
Add. #	_____	DATE	_____
Add. #	_____	DATE	_____

NOTE: State whether your concern is a corporation, a co-partnership, private individual, or individuals doing business under a firm name.

CORPORATION

If the Bidder is a corporation, the Bid Proposal must be executed in the name of the corporation and must be signed by a duly authorized officer of the corporation.

If the Bidder is a partnership, the Bid Proposal must be executed in the name of the partnership and one of the partners must subscribe their signature thereto as the authorized representative of the partnership.

AMOUNT OF BID PROPOSAL GUARANTEE ENCLOSED:

(\$ 10%) not less than ten percent (10%) of amount Bid Proposal

_____	CERTIFIED CHECK
_____	CASHIER'S CHECK
<u>LB01-19974</u>	BID BOND
_____	MONEY ORDER
_____	OTHER SECURITY

FILED

AUG 30 2000
By The
Office of The City Clerk

CONTRACTOR:

By Laura Parkes
(Signature)

LAURA PARKES

(Print or Type)

Title SECRETARY/TREASURER

Address 2471 LOCH WAY

EL DORADO HILLS, CA 95762

Telephone No. (916) 939-1600

Fax No. (916) 939-1671

Date 8/30/00

Contractor's License No. 710366 Type A, C53
Expiration Date 7/31/01
Tax I.D. Nos.-Fed. 95-4502785 State D-1914903
City of Sacramento Business Operation Tax Certificate No. 116940
(City will not award contract if Certificate Number is missing.)

REJECTED
OCT 17 2000
OFFICE OF THE
CITY CLERK

FILED

AUG 30 2000

By The
Office of The City Clerk

DRUG-FREE WORKPLACE POLICY AND AFFIDAVIT

BID PROPOSAL MAY BE DECLARED NONRESPONSIVE IF THIS FORM (COMPLETED) IS NOT ATTACHED.
Pursuant to City Council Resolution CC90-498 dated 6/26/90 the following is required.

The undersigned contractor certifies that it and all subcontractors performing under this Agreement will provide a drug-free workplace by:

1. Publishing a "Drug-Free Workplace" statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Establishing a Drug-Free Awareness Program to inform employees about:
 - a. The dangers of drug abuse in the workplace.
 - b. The contractor's policy of maintaining a drug-free workplace.
 - c. Any available drug counseling, rehabilitation, and employee assistance program.
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Notify employees that as a condition of employment under this Agreement, employees will be expected to:
 - a. Abide by the terms of the statement.
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace.
4. Making it a requirement that each employee to be engaged in the performance of the Agreement be given a copy on the "Drug-Free Workplace" statement.
5. Taking one of the following appropriate actions, within thirty (30) days of receiving notice from an employee or otherwise receiving such notice, that said employee has received a drug conviction for a violation occurring in the workplace:
 - a. Taking appropriate disciplinary action against such an employee, up to and including termination; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

AUG 30 2000

By The
Office of The City Clerk

* I certify that any person employed by this company, corporation, or business has not been convicted of any criminal drug statute violation on any job site or project within three years of the date of my signature below.

EXCEPTION:	_____	_____	_____	Yes _____ No _____
	Date	Violation Type	Place of Occurrence	Was Employed By This
Firm.				

If additional space is required use back of this form.

* The above statement will also be incorporated as a part of each subcontract agreement for any and all subcontractors selected for performance on this project.

IN THE EVENT THIS COMPANY, CORPORATION, OR BUSINESS IS AWARDED THIS CONSTRUCTION AGREEMENT, AS A RESULT OF THIS BID; THE CONTRACTOR WITH HIS/HER SIGNATURE REPRESENTS TO THE CITY THAT THE INFORMATION DISCLOSED IN THIS DOCUMENT IS COMPLETE AND ACCURATE. IT IS UNDERSTOOD AND AGREED THAT FALSE CERTIFICATION IS SUBJECT TO IMMEDIATE TERMINATION BY THE CITY.

The Representations Made Herein On This Document Are Made Under Penalty Of Perjury.

CONTRACTOR'S NAME: WESTERN WATER FEATURES, INC.

BY: Laura Jankes Sec/Treas Date: 8/30/00

Signature Title

Effects of violations: a. Suspension of payments under the Agreement. b. Suspension or termination of the Agreement. c. Suspension or debarment of the contractor from receiving any Agreement from the City of Sacramento for a period not to exceed five years.



DEPARTMENT OF
ADMINISTRATIVE SERVICES

OFFICE OF SMALL
BUSINESS DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

921 TENTH STREET
ROOM 402
SACRAMENTO, CA
95814-2714

(916) 264-6747
FAX (916) 264-6765
HOTLINE (916) 433-6923

April 14, 2000

Barbara Hamilton
Western Water Features, Inc
2471 Loch Way
El Dorado Hills, CA

FILED

AUG 30 2000

By The
Office of The City Clerk

Subject: Small Business Enterprise Certification

Congratulations! The City of Sacramento Office of Small Business Development (OSBD) has determined that your firm meets the criteria for certification under the **Emerging and Small Business Development Program (ESBD)**.

Effective this day, your firm has been certified as a(n) **Small Business Enterprise**. This certificate will expire **February 1, 2001**. It is your responsibility to notify this office, within thirty (30) days, of any change in certification status of your firm. Failure to do so will result in revocation of this certification issued by this office. The City's Office of Small Business Development reserves the right to review the certification at any time for purposes of certification compliance.

Your vendor code number is **WEW5275000P**. You must notify this office within thirty (30) days if there is a change of ownership, business name, or address. It will also be your responsibility to contact our office prior to your expiration date for a recertification application

Keep this letter as proof of ESBD certification. Thank you for joining the City of Sacramento ESBD Program family. If you have questions about your certification, call (916) 264-6747.

Sincerely,

Trevor Walton
Administrative Services Officer



State of California · State and Consumer Services Agency · Gray Davis, Governor
DEPARTMENT OF GENERAL SERVICES
Office of Small Business Certification and Resources
1631 I Street, Second Floor · Sacramento, California 95814-2016

SB APP 18990716

July 15, 1999

REF# 0019368
CRUSADER FENCE COMPANY INC
3115 GOLD VALLEY DR
RANCHO CORDOVA CA 95742-6588

Dear Business Person:

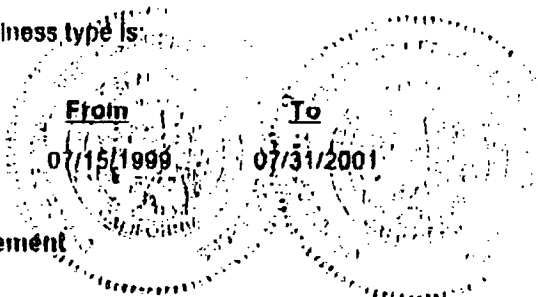
Congratulations on becoming a certified small business with the State of California. Your certification entitles you to benefits under the state's Small Business Participation Program within state contracting, including a five percent bidding preference and special provisions under the Prompt Payment Act.

Certification period

Your certification for each business type is:

Industry

NON-MANUFACTURER



FILED

AUG 30 2000

By The
Office of The City Clerk

Annual Submission Requirement

Proof of Annual Receipts

To maintain your certified status, you must submit annual federal tax returns for your firm and all affiliates to the Office of Small Business Certification and Resources (OSBCR). Because most businesses do not immediately file their tax returns at the end of their tax year, we will accept a temporary Affidavit of Income. A copy is enclosed for your convenience.

Submit an Affidavit of Income to the OSBCR within the first month following the close of your firm's tax year. The affidavit is valid for 90 days. When the affidavit expires, submit a signed copy of your firm's federal tax return--including all attachments, statements, etc.

If you requested a tax filing extension from the Internal Revenue Service, submit a copy of the extension to the OSBCR. When your tax returns are complete, submit the entire signed federal tax return no later than two weeks after the tax filing extension expires.

Prompt Payment Program

The Prompt Payment Act encourages state agencies to pay the undisputed invoices of certified small businesses and registered nonprofit organizations on a timely basis. Prompt payment is reinforced by adding interest penalties for late payment. Covered under the Act are certified small businesses that are either a service, manufacturer, or non-manufacturer firm, and nonprofit organizations registered with the OSBCR.

Compensation on late or unpaid progress payments for certified construction firms is addressed in Public Contract Code, Section §10261.5.

The Prompt Payment Program includes the use of a rubber stamp to alert state agencies of a firm's certified small business or registered nonprofit status.



State of California * State and Consumer Services Agency * Gray Davis, Governor
DEPARTMENT OF GENERAL SERVICES
Office of Small Business Certification and Resources
1531 I Street, Second Floor * Sacramento, California 95814-2016

SB APP 20000825

August 25, 2000

REF# 0017273
CAPITAL CONCRETE BREAKING AND EXCAVATING
11128 ALTA MESA EAST RD
WILTON CA 95693

Dear Business Person:

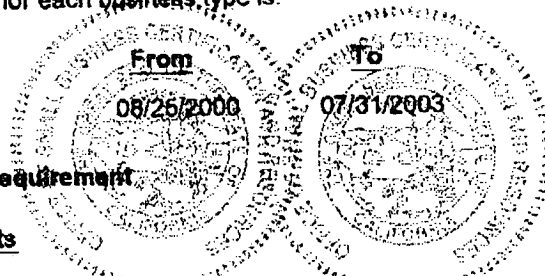
Congratulations on your certified small business status with the State of California. Your certification entitles you to benefits under the state's Small Business Participation Program within state contracting, including a five percent bidding preference and special provisions under the Prompt Payment Act.

Certification period

Your certification period for each business type is:

Industry

CONSTRUCTION



FILED

AUG 30 2000

By The
Office of The City Clerk

Annual Submission Requirement

Proof of Annual Receipts

To maintain your certified status, you must submit annually to our office an ENTIRE SIGNED copy of the federal tax return for your firm and all affiliates. Include ALL schedules, forms, statements, and any other support documents as filed with the Internal Revenue Service (IRS). Any firm submitting to our office Form 1040 Individual federal tax returns must include ALL Form W-2s associated with that tax return.

IMPORTANT! Please ensure your submitted tax return copies are SIGNED by an authorized owner/officer. Unsigned tax return copies are a common oversight as most copies from tax preparers are not ordinarily signed.

Because most businesses do not immediately file their tax returns at the end of their tax year, we will accept a temporary Affidavit of Income. A copy is enclosed for your convenience. Submit the Affidavit of Income to our office within the first month following the close of your firm's tax year. The affidavit is valid for 90 days. When the affidavit expires, submit a signed copy of your firm's federal tax return--including all attachments, statements, etc.

If you requested a tax filing extension from the Internal Revenue Service, submit a copy of the extension to our office. When your tax returns are complete, submit the entire signed federal tax return no later than two weeks after the tax filing extension expires.

Prompt Payment Program

The Prompt Payment Act encourages state agencies to pay the undisputed invoices of certified small businesses and registered nonprofit organizations on a timely basis. Prompt payment is reinforced by adding interest penalties for late payment. Covered under the Act are certified small businesses that are either a service, manufacturer, or non-manufacturer firm, and nonprofit organizations registered with the OSBCR.