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DEPARTMENT OF  
PUBLIC WORKS  
  
OFFICE OF THE DIRECTOR

CITY OF SACRAMENTO  
CALIFORNIA

CITY HALL  
ROOM 200  
915 I STREET  
SACRAMENTO, CA  
95814

May 27, 1994

916-264-7110

City Council  
Sacramento, California

ADMINISTRATION  
916-264-7100

FAX 916-264-5573

Honorable Members in Session

**SUBJECT: TIMBERLAKE WAY ASSESSMENT DISTRICT 94-01, PUBLIC HEARING  
NO. 2**

**LOCATION AND COUNCIL DISTRICT**

The Timberlake Way Assessment District is located in Council District No. 8. The district includes ten parcels of land located east of Bruceville Road, west of State Route 99 and north of Cosumnes River College Boulevard (please see attached map).

**STAFF RECOMMENDATION:**

This report recommends that the City Council open the public hearing to present the Timberlake Way Assessment District, take public testimony, and adopt the following:

1. Resolution Overruling Protests, and
2. Resolution Approving Amended Report, Assessment and Ordering Improvement.

**CONTACT PERSON** Edward Williams, Assistant Engineer, 264-5440

**FOR COUNCIL MEETING OF: June 14, 1994**

**SUMMARY**

The purpose of this hearing is to receive public testimony for the Timberlake Way Assessment District. On April 19, 1994, Council initiated the district and authorized staff to mail and publish notices. Construction plans and specifications have been prepared and the project has been bid. The project will be totally funded by the landowners within the district.

**COMMITTEE/COMMISSION ACTION**

None

CONTINUED  
FROM 6-14-94  
TO 6-28-94

## BACKGROUND INFORMATION

The formation of this district has been requested by the Methodist Hospital of Sacramento. The district is being formed to provide funding for the re-alignment and construction of a portion of Timberlake Way.

The district includes ten parcels, eight are owned by Methodist Hospital of Sacramento, one by Timberlake Partnership which is controlled by Methodist Hospital and one by Community Psychiatric Centers. Petitions in support of the district have been signed by a representative for the nine parcels (87.6% of the 48.6 total district acreage) owned or controlled by the Methodist Hospital of Sacramento.

Based on landowner support for the district, staff recommended on April 19, 1994 that Council initiate proceedings for the district. Bids were received on May 18, 1994 and are listed below:

Granite Construction	\$ 690,681
Teichert Construction	\$ 721,116
D. J. Contractors	\$ 807,822

The low bid of \$ 690,681 submitted by Granite Construction is 23.7% below the original engineer's estimate of \$ 905,561. The owners of all ten parcels have signed petitions electing to waive the cash collection period and will pay the assessments over a fifteen (15) year period. As of May 27, 1994 no protests have been received by the City Clerk's office.

## FINANCIAL CONSIDERATIONS

The project will be funded in its entirety by property owners within the district, Methodist Hospital of Sacramento, Timberlake Partnership and Community Psychiatric Centers. Based on the Granite bid, the total cost of the project and the amount to be assessed to property owners is \$ 1,190,675 and is itemized as follows:

Construction Cost	\$ 690,681
Contingency	103,602
Engineering & Project Management	106,493
Purchase Bruceville Bonds	101,050
Bond Incidentals	69,782
Reserve Account	83,347
Bond Discount	<u>35,720</u>
Total Project Cost	\$1,190,675

The above expenditures are detailed in the Amended Engineer's Report on file with the City Clerk.

There are no City funds or contributions involved in this project. All funding will be provided by property owners within the District.

**POLICY CONSIDERATIONS**

The procedures under which this district is being formed are set forth in the California Streets and Highways Code, specifically Division 12 entitled "*Municipal Improvement Act of 1913*" and Division 10 entitled, "*Improvement Bond Act of 1915.*"

**MBE/WBE**

This project included MBE/WBE participation goals of 10.57% MBE and 9.5% WBE as required by Resolution No. 93-619 relating to MBE/WBE participation goals and policies adopted by the City Council of November 2, 1993. Award of contract is contingent upon the responsive low bidder either meeting this project MBE/WBE participation goals or making adequate Good Faith Efforts towards meeting the project goals. Bids submitted which meet or exceed the MBE/WBE goals may be eligible for bid price preferences up to a maximum of 7% or \$25,000, whichever is less.

There were 14 planholders for this project, one of which was a MBE and two were WBEs. Three bids were received for this project. No bids were received from MBE or WBE Firms.

The low bidder, Granite Construction did not achieve either the WBE or the MBE goal. The low bidder's MBE/WBE participation listed in their bid was \$7,326 (1.06%) MBE and \$13,602 (1.96%) WBE. Although the low bidder, Granite Construction, did not achieve the project MBE/WBE participation goals, the low bidder submitted documentation of Good Faith Effort specified in Title 58 of the City Code. Table A (attached) summarizes the Good Faith Effort made by the low bidder Granite Construction.

The table listed below lists the City certified MBE/WBE participation achieved by the bidders as identified in their bids:

Project Goals: MBE 10.5% WBE 9.5%

Contractors	M/WBE Status	Bid Amount	MBE		WBE		Good Faith Effort Documentation Submitted
			\$	%	\$	%	
Granite Construction	No	\$690,681	7,326	1.06	13,602	1.96	Yes
Teichert Construction	No	\$721,116	4,000	0.55	255,000	35.4	Yes
D. J. Contractors	No	\$807,822	117,000	14.5	108,000	13.4	Not Required

City Council  
Timberlake Way A.D.  
April 19, 1994  
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The price preference available to bidders achieving the project MBE/WBE goals under Resolution No. 93-619 adopted by the City Council on November 2, 1993, did not affect the rank order of the low bid received.

Plans and specifications were sent to seven (7) plan rooms and construction services organizations for publication and use by the construction industry of Northern California. There are four (4) organizations on the distribution list that are directly involved with outreach to MBE/WBE contractors.

Other outreach efforts to MBE/WBEs for this project will include:


- Advertisement of the project on the City of Sacramento Construction Project Bid Line (916) 392-4758.
- Free access to review the project plans and specifications at the City of Sacramento planroom at Engineering Division offices at 927 10th Street.
- Provide notice of this project to three minority chambers of commerce and three minority and women community organizations directly involved with outreach to MBE/WBEs.

Recommendation Approved:

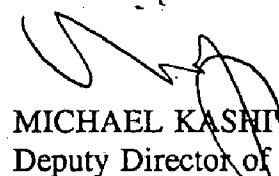
  
WILLIAM H. EDGAR  
City Manager

EW:94007.CCR

Respectfully Submitted,

  
GARY ALM  
Supervising Engineer

Approved:

  
MICHAEL KASHIWAGI  
Deputy Director of Public Works

**TIMBERLAKE WAY ASSESSMENT DISTRICT (JN:3747)**

Table A

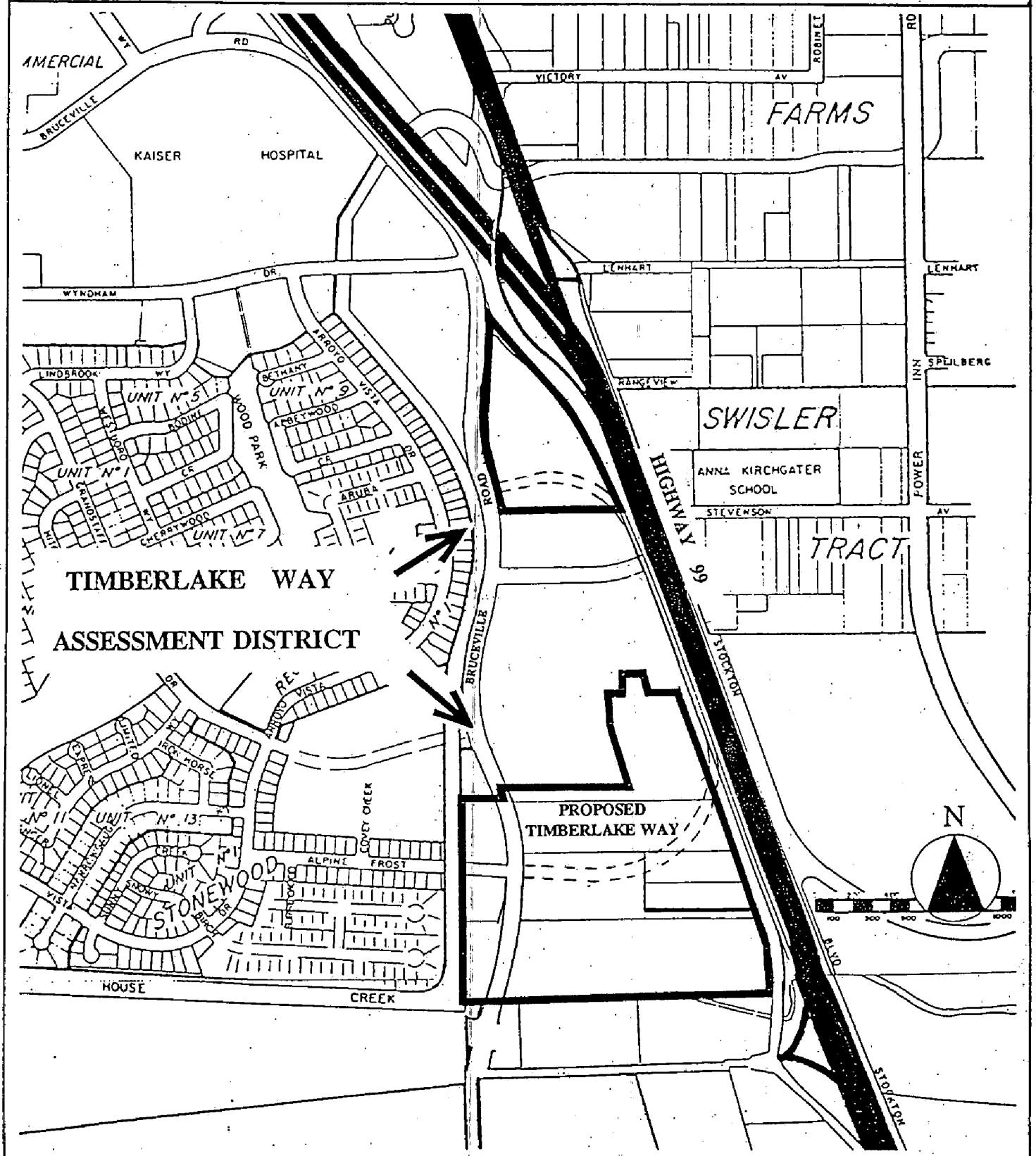
City Code Title 58, lists ten Good Faith Effort actions towards meeting the project MBE/WBE participation goals a bidder who fails to meet the goals is required to take. The following table lists the Good Faith Effort requirements of City Code Title 58 and summarizes the efforts made by Granite Construction, the low bidder.

#	Good Faith Efforts Required per City Code Title 58.	Low Bidders Actions	
		Y/N	Description
1	Attend prebid meeting scheduled for this project.	Y	Prebid meetings scheduled - May 2 and 16, 1994. Granite Construction representative attended on May 16, 1994.
2	Identify work items to be performed by MBE/WBEs	Y	Drainage Pipes, Manholes and Drop Inlets, Sewer Pipes, Water Pipes, Valves, Hydrants, Services, Blowoffs, Curb, Gutter, and Sidewalk, Signs, Striping, Sidewalk Barricades, Guardrail, Trucking, Construction Signs, Electrical, Landscaping.
3	Advertise solicitation of subbids from MBE/WBEs	Y	Daily Construction Service May 5, 1994 through May 17, 1994. WEBE Press, publication dates, 5/5/94, 5/10/94, 5/12/94, 5/17/94.
4	Send written solicitation for subbids to MBE/WBEs	Y	53 written solicitations made to MBE/WBEs.
5	Follow up written solicitations with direct contact	Y	Log submitted indicating 49 follow-up phone calls were made.
6	Provide interested MBE/WBEs with information about plans and specifications	Y	Access to plans and specifications were made available upon request.
7	Request assistance for identifying available MBE/WBEs from organizations directly involved with outreach to MBE/WBEs	Y	9 organizations contacted for assistance.
8	Negotiate in good faith with MBE/WBEs and not unjustifiably reject subbids from MBE/WBEs	Y	
9	Assist MBE/WBEs in obtaining bonds, credit, or insurance.	Y	Offered to pay up to 1.5% of cost for payment and performance bonds of MBE/WBEs
10	Bidder's efforts could reasonably be expected to produce a level of participation sufficient to meet goals	Y	The low bidder did take all Good Faith Effort actions required in the bid specifications.

TABLE A

# TIMBERLAKE WAY ASSESSMENT DISTRICT NO. 94-01

## LOCATION MAP



# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

## RESOLUTION CONTINUING HEARING AND CONSIDERATION OF ALL MATTERS

TIMBERLAKE WAY ASSESSMENT DISTRICT NO. 94-01

The City Council of the City of Sacramento resolves:

On June 14, 1994, at the time set for the public hearing on the Resolution of Intention and the Engineer's Report, this Council continued the time for said public hearing and consideration of all matters in connection with the proposed improvement in Timberlake Way Assessment District No. 94-01, City of Sacramento, Sacramento County, California to June 28, 1994, at 2:00 P.M., at the Chambers of the City Council, 915 I Street, Sacramento, California.

The City Clerk is hereby directed to post a copy of this resolution on or near the door of the Council Chamber within 24 hours after the time of continuance.

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This Resolution was passed and adopted by the City Council of the City of Sacramento, County of Sacramento, State of California, this 14th day of June, 1994.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

CERTIFICATE OF POSTING  
RESOLUTION CONTINUING HEARING AND CONSIDERATION  
OF ALL MATTERS AT CHAMBER DOOR

TIMBERLAKE WAY ASSESSMENT DISTRICT NO. 94-01

The undersigned declares:

On June 15<sup>th</sup>, 1994, the undersigned posted a copy of Resolution No. 94-371, Resolution Continuing Hearing and Consideration of All Matters, for Timberlake Way Assessment District No. 94-01, City of Sacramento, County of Sacramento, State of California, on or near the Chamber Door of the City Council of the City of Sacramento, within 24 hours after the time of continuance of the public hearing. A copy of the resolution is attached hereto as Exhibit A.

Executed at Sacramento, California, this 15<sup>th</sup> day of June, 1994.

I declare the foregoing to be true under penalty of perjury.

VALERIE A. BURROWES, City Clerk,  
City of Sacramento,  
Sacramento County, California

BY Valerie A. Burrowes

DO NOT REMOVE

City Clerk's Office  
will remove on  
6-29-94

ORIGINAL

EXHIBIT A

**RESOLUTION NO.**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

RESOLUTION CONTINUING HEARING AND  
CONSIDERATION OF ALL MATTERS

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\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_