

## **RESOLUTION NO. 2008-629**

Adopted by the Sacramento City Council

September 16, 2008

**AUTHORIZING CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE A GROUND LEASE OF DISTRICT REAL PROPERTY FOR THE POCKET-GREENHAVEN LIBRARY; SUSPENDING COMPETITIVE BIDDING IN THE BEST INTERESTS OF THE CITY; AND, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE A DEVELOPMENT AND CONSTRUCTION AGREEMENT WITH REGENT DEVELOPMENT, INC. AND MCCARTHY BUILDING COMPANIES, INC. IN AN AMOUNT NOT TO EXCEED \$9,832,532 FOR CONSTRUCTION OF THE POCKET-GREENHAVEN LIBRARY AND RELATED IMPROVEMENTS.**

### **BACKGROUND**

- A. On November 22, 2005, the Mayor and City Council adopted a Resolution (Resolution No. 2005-846) endorsing the development of this joint use project in conjunction with the District and the Library Authority.
- B. On May 23, 2006, City Council authorized the issuance of approximately \$150 million in 2006 Capital Improvement Revenue Bonds (CIRBs), authorized funding for the Tier I Community Reinvestment Capital Improvement Program (CRCIP) projects, and adopted policy directives. The Pocket-Greenhaven Library project was approved as a Tier I project with an allocation of \$12.7 million from the 2006 CIRBs.
- C. On October 16, 2007, the Mayor and the City Council adopted Resolution No 2008-742 to identify the specific obligations of each party with respect to the design, environmental review, construction, project management, and payment for all construction and improvements associated with the School, Library, athletic fields, and parking lots.
- D. Sacramento City Code section 3.60.170(D) allows the City Council to suspend competitive bidding when it finds, by a two-thirds vote, that suspension is in the best interests of the City. Suspending competitive bidding will allow the City to award the construction contract for the City's portion of the project to the same contractor selected by the District for its portion of the project. Utilizing the same contractor will minimize the potential disruption to the neighborhood surrounding the project by reducing the amount of construction equipment present at the site, it will result in completion of all of the required infrastructure and off-site work at one time, and it will result in a significant time savings by shortening the overall construction schedule by approximately six months.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. The City Manager or the City Manager's designee is authorized to execute a ground lease for real property owned by the Sacramento Unified School District upon which to construct the Pocket-Greenhaven Library contingent upon the District having the legal right to lease the property directly to the City.

Section 2. It is in the best interests of the City to suspend competitive bidding, and competitive bidding is hereby suspended to award the development and construction agreement for the Pocket-Greenhaven Library to Regent Development, Inc. and McCarthy Building Companies, Inc.

Section 3. The City Manager or the City Manager's designee is authorized to execute a three party development and construction agreement with Regent Development, Inc. and McCarthy Building Companies, Inc. in an amount not to exceed \$9,832,532 for construction of the Pocket-Greenhaven Library and related improvements contingent upon the City and District executing the ground lease for the Pocket-Greenhaven Library.

Adopted by the City of Sacramento City Council on September 16, 2008 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

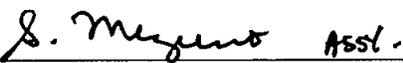
Noes: None.

Abstain: None.

Absent: None.

  
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Mayor Heather Fargo

Attest:

  
for Shirley Concolino, City Clerk