



## REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www. CityofSacramento.org

Consent  
December 2, 2008

Honorable Mayor and  
Members of the City Council

**Title: Administrative Matter/Contracts: Clarification on Maintenance and Repair of Curbs, Gutters, Sidewalks, and Related Items**

**Location/Council District:** Citywide

**Recommendation:** Adopt a **Resolution** 1) authorizing the City Manager to approve individual contracts with a) AJ's Landscape Construction; b) BRW Concrete; c) C&C Construction, Incorporated; d) Do-Right Concrete, Incorporated; e) Franklin T. Gassaway & Son, Incorporated; f) Gassaway Concrete; g) G&G Concrete, Incorporated, h) Ismael Marquez Concrete; i) Madriago-Lewis Construction, Incorporated; j) Newland Entities, Incorporated, k) R4 Corporation, Incorporated; and l) Sheppard Concrete, Incorporated for the "Maintenance and Repair of Curbs, Gutters, Sidewalks, and Related Items" for a base period of one calendar year; 2) authorizing the City Manager, or his designee, to execute the four option periods if determined to be in the best interests of the City; and 3) repealing Resolution 2008-452 due to an administrative error.

**Contact:** Juan Montanez, Street Services Manager, 916/808-2254, Gabriel Morales, Operations General Supervisor, 916/808-2289

**Presenters:** None

**Department:** Transportation

**Division:** Street Services

**Organization No:** 15001641

### **Description/Analysis**

**Issue:** On June 24, 2008, the City Council adopted Resolution 2008-452 authorizing the City Manager to execute a contract with C&C Concrete, Incorporated, among others.

It has been discovered that due to an administrative error, C&C Construction, Incorporated, was inadvertently listed in the Staff Report and accompanying Resolution as C&C Concrete, Incorporated. Staff is submitting a revised resolution correcting this error.

**Policy Considerations:** Correction of the Resolution and clarification of the appropriate contractor will ensure the accuracy of the City's legislative history and provide due diligence.

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** N/A

**Sustainability Considerations:** N/A

**Commission/Committee Action:** N/A

**Rationale for Recommendation:** It is important to maintain a clear and accurate legislative history and when administrative errors are realized, it is the City's practice to bring them to light in a transparent manner.

**Financial Considerations:** No additional funding is being requested. The total payment to each contractor during the initial term, or during any extended term, in combination with payment(s) to the other contractors on the City's approved list of Contractors for the "Maintenance and Repair of Curbs, Gutters, Sidewalks, and Related Items: shall not exceed the total funds authorized by the Sacramento City Council for this purpose in the applicable fiscal year(s) Operating and Capital Improvement Project budgets.

**Emerging Small Business Development (ESBD):** No goods or services are being acquired on behalf of the City under this report.

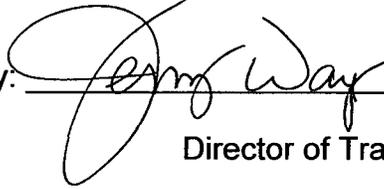
December 2, 2008

Respectfully Submitted by:



Juan Montanez  
Street Services Manager

Approved by:



Jerry Way  
Director of Transportation

Recommendation Approved:



Ray Kerridge  
City Manager

*Ben*

**Table of Contents:**

Report	Pg. 1
<b>Attachments</b>	
1 Resolution	Pg. 4
2 Resolution 2008-452	Pg. 5

**ATTACHMENT 1**

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**ADMINISTRATIVE MATTER: CLARIFICATION ON MAINTENANCE AND REPAIR OF  
CURBS, GUTTERS, SIDEWALKS, AND RELATED ITEMS**

**BACKGROUND**

- A. On June 24, 2008, the City Council adopted Resolution 2008-452 authorizing the City Manager to execute a contract with C&C Concrete, Incorporated, among others.
- B. It has been discovered that due to an administrative error, C&C Construction, Incorporated, was inadvertently listed in the Staff Report and accompanying Resolution as C&C Concrete, Incorporated. Staff is submitting a revised resolution correcting this error.

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

- Section 1. The City Manager is authorized to enter into contracts with AJ's Landscape Construction; BRW Concrete; C&C Construction, Incorporated; Do-Right Concrete, Incorporated; Franklin T. Gassaway & Son, Incorporated; Gassaway Concrete; G&G Concrete, Incorporated; Ismael Marquez Concrete; Madriago-Lewis Construction, Incorporated; Newland Entities, Incorporated, R4 Corporation, Incorporated; and Sheppard Concrete, Incorporated for the "Maintenance and Repair of Curbs, Gutters, Sidewalks, and Related Items" for a base period of one calendar year;
- Section 2. The City Manager, or his designee, is authorized to execute the four option periods if determined to be in the best interests of the City
- Section 3. Repeal Resolution 2008-452 as that resolution incorrectly identified C&C Construction, Incorporated.

**Table of Contents:**

Exhibit A – Resolution 2008-452

## RESOLUTION NO. 2008-452

Adopted by the Sacramento City Council

June 24, 2008

### MAINTENANCE AND REPAIR OF CURBS, GUTTERS, SIDEWALKS, AND RELATED ITEMS

#### BACKGROUND

- A. The City Clerk received bids on May 7, 2008. The City received bids from the following contractors:
1. AJ's Landscape Construction;
  2. BRW Concrete;
  3. C&C Concrete, Incorporated;
  4. Do-Right Concrete, Incorporated;
  5. Franklin T. Gassaway & Son, Incorporated;
  6. Gassaway Concrete;
  7. G&G Concrete, Incorporated;
  8. Ismael Marquez Concrete;
  9. Madriago-Lewis Construction, Incorporated;
  10. M. Beavers Concrete Construction;
  11. Newland Entities, Incorporated;
  12. R4 Corporation, Incorporated
  13. Sheppard Concrete, Incorporated;
  14. Monley Cronin, Incorporated; and
  15. Nor-Cal Concrete, Incorporated.
- B. All bid submissions were evaluated for responsiveness and responsibility in accordance with the City Code 3.60, Contracts for Public Projects, as well as API 48, Contracts for Public Projects, and the terms and conditions of the solicitation. The bid submission from Monley Cronin, Incorporated, is considered "non-responsive" for failing to submit pricing on all line items as required by the solicitation document. The bid submission from Nor-Cal Concrete, Incorporated, was found to be not "responsible" based on their individual line item pricing which exceeded the City cost estimates in several places by more than 100%.
- C. The line item pricing for the remaining thirteen responsive and responsible bid submissions were evaluated. In accordance with the solicitation language, the high and low bid values for each line item were discarded. The dollar amounts for the remaining bid values were then averaged to determine the unit price to be paid for each particular line item. This final adjusted amount is listed in the price sheet for each contract and is the same amount each contractor will be compensated. It is in the best interests of the City to allow for the award of multiple contracts with uniform unit prices, because it is necessary to utilize multiple contractors to accommodate the volume of work performed

and in establishing uniform unit prices, it assures that all City residents pay the same cost for their sidewalk repairs, regardless of which contractor is performing the work and where the work is performed.

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

Section 1. The City Manager is authorized to enter into individual contracts with AJ's Landscape Construction; BRW Concrete; C&C Concrete, Incorporated; Do-Right Concrete, Incorporated; Franklin T. Gassaway & Son, Incorporated; Gassaway Concrete; G&G Concrete, Incorporated; Ismael Marquez Concrete; Madriago-Lewis Construction, Incorporated; M. Beavers Concrete Construction; Newland Entities, Incorporated; R4 Corporation, Incorporated; and Sheppard Concrete, Incorporated; for the "Maintenance and Repair of Curbs, Gutters, Sidewalks, and Related Items" for a base period of one year.

Section 2. The City Manager, or his designee, is authorized to execute the four (4) options periods if determined by Staff to be in the best interests of the City. Each contract shall have an initial term of one year, with the possibility of up to four one-year extensions (for a maximum contract term of five years). The combined total amount of such contracts shall not exceed the total amount authorized by the City Council for this purpose in the applicable fiscal year(s) Operating and Capital Improvement Project (CIP) budgets for the "Maintenance and Repair of Curbs, Gutters, Sidewalks, and Related Items."

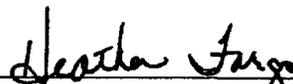
Adopted by the City of Sacramento City Council on June 24, 2008 by the following vote:

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

Noes: Councilmembers McCarty & Sheedy.

Abstain: None.

Absent: Councilmember Tretheway.

  
\_\_\_\_\_  
Mayor Heather Fargo

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk