



**REPORT TO THE  
REDEVELOPMENT AGENCY  
AND CITY COUNCIL  
of the City of Sacramento**

915 I Street, Sacramento, CA 95814-2671  
www.CityofSacramento.org

Consent  
**February 3, 2009**

**Honorable Mayor and Members of the City Council  
Honorable Chair and Members of the Board**

**Title: Contract: Docks Promenade – Phase I Project, Approval of Park Master Plan and Park Name**

**Location/Council District:** Sacramento Riverfront from O Street to R Street, Council District 1

- 1) Recommendation:** Adopt: a City **Resolution** a) accepting a guaranteed maximum price (GMP) to build the Docks Promenade - Phase I (B18430000) ("the Project") from Flintco, Inc. (Flintco) in an amount not to exceed \$4,909,000; b) authorizing the transfer of \$200,000 of Quimby Act fees to the Docks Promenade – Phase I Project; c) authorizing the City Manager to execute a loan agreement with the Redevelopment Agency for \$1,500,000 for the purpose of constructing the Docks Promenade – Phase I; d) approving and authorizing the City Manager to execute an agreement with the Construction Manager/General Contractor, Flintco, Inc., for the construction of the Docks Promenade – Phase I in an amount not to exceed the GMP, e) naming the park at R Street as "Pioneer Landing;" and f) approving the Pioneer Landing Park Master Plan; and **2) Adopt a Redevelopment Agency Resolution:** a) authorizing the Executive Director to enter into a loan agreement to the City for \$1,500,000 of Merged Downtown Tax Increment Funds [\$750,000 from the Docks Area Project (Fund 100) and \$750,000 from the Pioneer Bridge Project (Fund 100)] for the construction of the Docks Promenade – Phase I (B18430000).

**Contact:** Beth Tincher, Senior Project Manager, 808-7730; Leslie Fritzsche, Downtown Development Manager; Dennis Day, Landscape Architect, 808-7366; J.P. Tindell, Park Planning and Development Manager, 808-1955

**Presenters:** Not Applicable

**Departments:** Economic Development, Parks and Recreation

**Division:** Downtown Development, Park Planning and Development



**Organization No:** 18000, 19001111

**Description/Analysis:**

**Issue:** The proposed Docks promenade is a mile-long 20-foot-wide pedestrian and bicycle path extending from the existing promenade (Tower Bridge to O Street) to Miller Park. Phase I improvements include the construction of the promenade from O Street to R Street and the development of a .4 acre Park at R Street (Attachments 1, 2, and 3).

In July 2008, the City Council adopted an environmental document for the Docks Promenade Parkway and approved a project budget including use of Proposition 40 State Grant Funds. In addition, the City Council suspended competitive bidding for the construction of the Docks Promenade – Phase I (pursuant to Section 3.60.170 D of the Sacramento City Code) through City Resolution number 2008-488 and Agency Resolution number 2008-052 , and directed staff to issue a Design/Assist Request for Qualifications (RFQ) for Phase I improvements.

The RFQ was issued on July 23, 2008. Two pre-submittal meetings and site walks were held. Submittals were due on August 22, 2008. The Docks Promenade project received 5 proposals from the following general contractor firms:

1. Otto Construction
2. SW Allen
3. Diede Construction
4. Flintco, Inc.
5. Allen L. Bender, Inc.

The selection committee for the Docks Promenade RFQ was made up of representatives from the City of Sacramento (Economic Development, Parks and Recreation, and General Services), Akiyama Architects, Walker Macy Landscape Architects, and the Greater Broadway Property-Based Improvement District (PBID). The selection committee met and evaluated the proposals and chose to interview Otto Construction, Diede Construction, Flintco, Inc. and Allen L. Bender, Inc. Following the interviews the committee selected Flintco, Inc. Over the past few months, staff has been working with Flintco, Inc. and is now recommending approval of a guaranteed maximum price for the project of \$4,909,000. A description and rationale for the recommendation is provided below.

On November 20, 2008, the Parks and Recreation Commission considered and supported approval of the Park Master Plan for the park located at the north end of the Docks Promenade – Phase I project and naming the Park “Pioneer Landing.” Staff is requesting that City Council approve the name and the Park Master Plan as shown in Attachment 3.

**Policy Considerations:** Constructing the Promenade is consistent with the City's strategic plan to achieve sustainability and livability and to expand economic development throughout the City.

Sacramento Riverfront Master Plan - The recommended actions are consistent with prior City Council direction related to the implementation of the 2003 Sacramento Riverfront Master Plan by connecting the Promenade to Miller Park and providing access to the water's edge.

Redevelopment Agency of the City of Sacramento – The recommended actions are consistent with the Amended Merged Downtown Redevelopment Plan, the 2005-2009 Merged Downtown Redevelopment Plan and the 2005-2007 Docks Area Community Planning Process. Redevelopment of the Docks Area will eliminate blight by: 1) eliminating environmental deficiencies in the Merged Project Area, including mixed uses, small and irregular lots, obsolete, aged and deteriorated buildings, and inadequate public improvements; and 2) strengthening retail and other commercial functions in the downtown area by the installation of needed site improvements either inside or outside the Merged Project Area to stimulate new commercial expansion, employment and economic growth.

**Committee/Commission Action:** The Project was recently considered and supported by the Parks and Recreation Commission (PRC) and the Disabilities Advisory Commission. A full list of public meetings is included in the background information (Attachment 4).

**Environmental Considerations:** The City Council adopted a Mitigated Negative Declaration and approved the Mitigation Monitoring Plan on July 15, 2008. Mitigation measures will be addressed prior to and during the construction of the project.

**Sustainability Considerations:** Despite the fact that parks and public spaces are not required to follow Leadership in Energy Efficient Design (LEED) guidelines, or achieve a LEED rating, the project will follow best practices in design in the following ways:

- Concrete waste from demolition will be recycled.
- High-recycled content materials will be used, such as: structural steel, reinforcing steel, light gauge metal framing and concrete (15% fly ash).
- A minimum of 20% of building materials will be manufactured within a 500-mile radius.
- Adhesives and sealants will contain low-Volatile Organic Compounds (VOC) content to meet Sacramento County Air Quality Management District (SCAQMD) Rule 1168 standards.

- Paints and coatings will contain low-VOC content to meet applicable Green Seal standards.
- A project waste management plan will be implemented.

The trees proposed in this master plan will make a contribution to clean air and water, storm water runoff reduction, energy conservation, improved public health, and increased property values. A more complete description of the Project, including its energy efficient systems and green features, is described in Attachment 2.

*Greenprint* - The goals of the Greenprint are to optimize the benefits of trees throughout our region, to create sustainable urban forests, and to build community-wide appreciation for our urban forests. The Pioneer Landing Master Plan provides an addition to the City's urban forest, particularly in the area of tree species with large canopies and tree species suited to the Sacramento climate.

**Rationale for Recommendation:**

Following the RFQ process, the Selection Committee recommended Flintco Inc. to provide design-assist construction contracting services for the Docks Promenade Phase I project. Flintco Inc. is a Sacramento County American Indian-owned construction company, located in Folsom. Since their selection by the committee, Flintco, Inc. has provided consulting services including construction drawing technical reviews to determine constructability of the project, assisting with value engineering and providing advice on cost issues. Because Proposition 40 funds must be spent by June 2010, the design/assist approach will assist the City in completing the project within the desired schedule with minimal changes to the project scope and cost.

The proposed action would award the construction contract to Flintco Inc. and would establish a GMP of \$4,909,000 for the project.

Approval of this contract will allow the City to continue the momentum to reclaim and redevelop the Sacramento riverfront as envisioned in the Sacramento Riverfront Master Plan (SRMP). Construction of this portion of the promenade is important as it provides an additional connection to Downtown via the R Street Bridge. It will begin to create an activity node through the development of the R Street Park and will be a catalyst at the front door of the Docks Redevelopment project.

**Financial Considerations:** The total project budget for Phase I is \$5,359,971 (B18430000). Through recent competitive bidding efforts of Flintco, Inc., and City staff involvement, a GMP has been developed in the amount of \$4,909,000. The following provides a summary of estimated costs and the proposed funding plan:

<b><u>Project Costs</u></b>	
Phase I Promenade (O-R Street including the park and rail realignment)	\$4,609,389
Contingency (6.5%)	\$299,610
<b>Proposed GMP</b>	<b>\$4,909,000</b>
City Construction Management Fees, Permits and Studies	\$450,971
<b>Total Estimated Construction Costs:</b>	<b>\$5,359,971</b>
<b><u>Budget Available for Project</u> (B18430000)</b>	
Proposition 40 Funds (Tax Increment will cover in the interim)	\$1,500,000
Quimby Act Fees (2508)	\$200,000
CIP (18430000)	\$3,659,971
<b>Total Cash Available:</b>	<b>\$5,359,971</b>

In the July 15, 2008 City Council Staff Report, City staff indicated that an additional \$200,000 in Quimby Act fees (Fund 2508) from another project in the Central City Planning Area may be available and would be brought forward as a separate action. This staff report transfers these funds to the Docks Promenade – Phase I Project (B18430000).

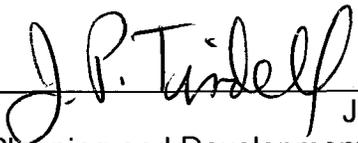
State grant funds are provided on a reimbursement basis. In order to cover construction costs prior to state grant reimbursement, the Agency will loan tax increment set aside for the Docks area land acquisition and Docks Area design contracts (Docks Area Project- Fund 100 and Pioneer Bridge- Fund 100) to the City up front and the Agency will be paid back once grant funds are received. These funds are still needed for future land acquisition and design work for future phases of the Docks Project and the Promenade, but will not need to be disbursed until the end of 2009 to mid-2010.

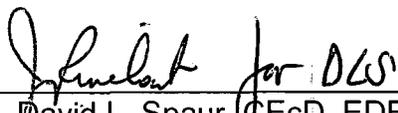
The State has notified the City that the State has temporarily suspended disbursement of Proposition 40 bond proceeds. While there is a risk in proceeding, it is considered to be minimal since the City has an executed agreement with the State for the disbursement of these funds which the State has committed to honor as soon as possible. It is currently anticipated that State funds would be released in summer 2009. This corresponds to the project construction schedule. Although the first stage of the project (grading and rail realignment) is scheduled to begin at the end of February, the promenade construction will begin in early summer with a completion by the end of the 2009. Staff does not anticipate that State reimbursement requests will be submitted prior to summer 2009.

**Emerging Small Business Development (ESBD):** Flintco, Inc. is a Sacramento County American Indian-owned construction company, located in Folsom. Flintco, Inc.

is exceeding the City's participation requirements for Emerging and Small Business Enterprise (ESBE) on the construction portion of the project. Flintco, Inc. has attained over 30% ESBE participation in the GMP, which exceeds the City's 20% established goal.

Respectfully Submitted by:   
Leslie Fritzsche  
Downtown Development Manager  
Redevelopment Agency of the City of Sacramento

Respectfully Submitted by:   
J.P. Tindell  
Park Planning and Development Manager  
Department of Parks and Recreation

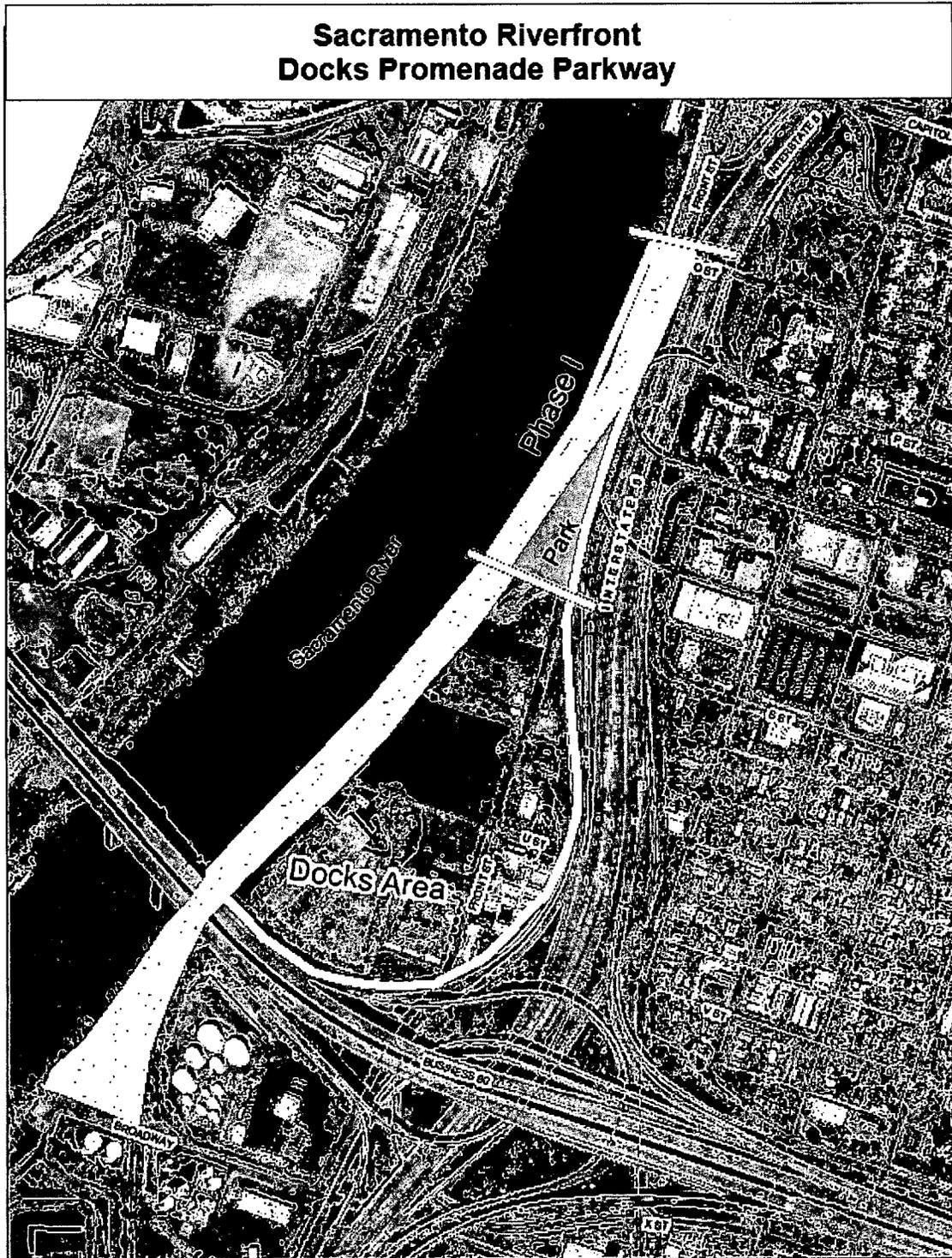
Approved by:   
David L. Spaur, CECD, EDFP  
Director, Economic Development Department

Recommendation Approved:

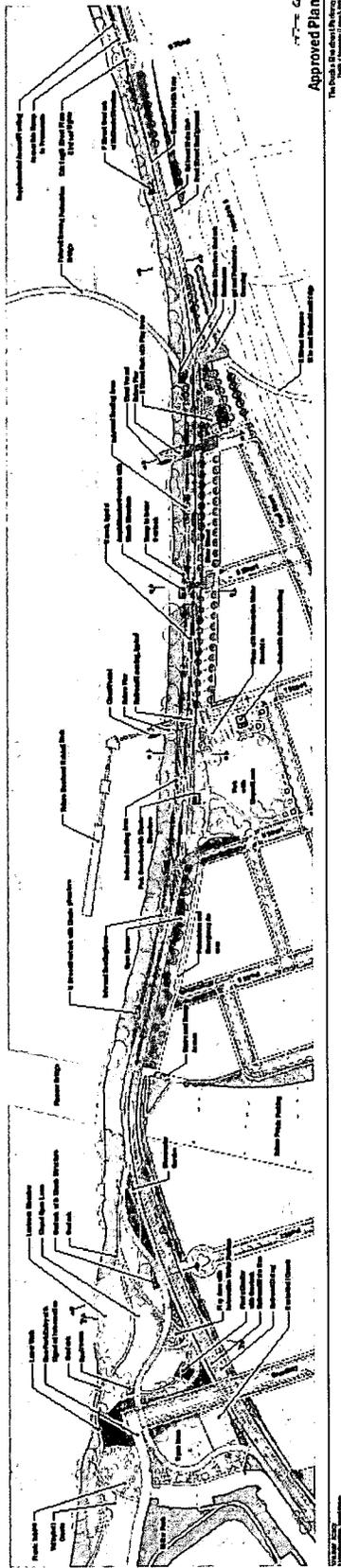
  
Ray Kerridge  
City Manager

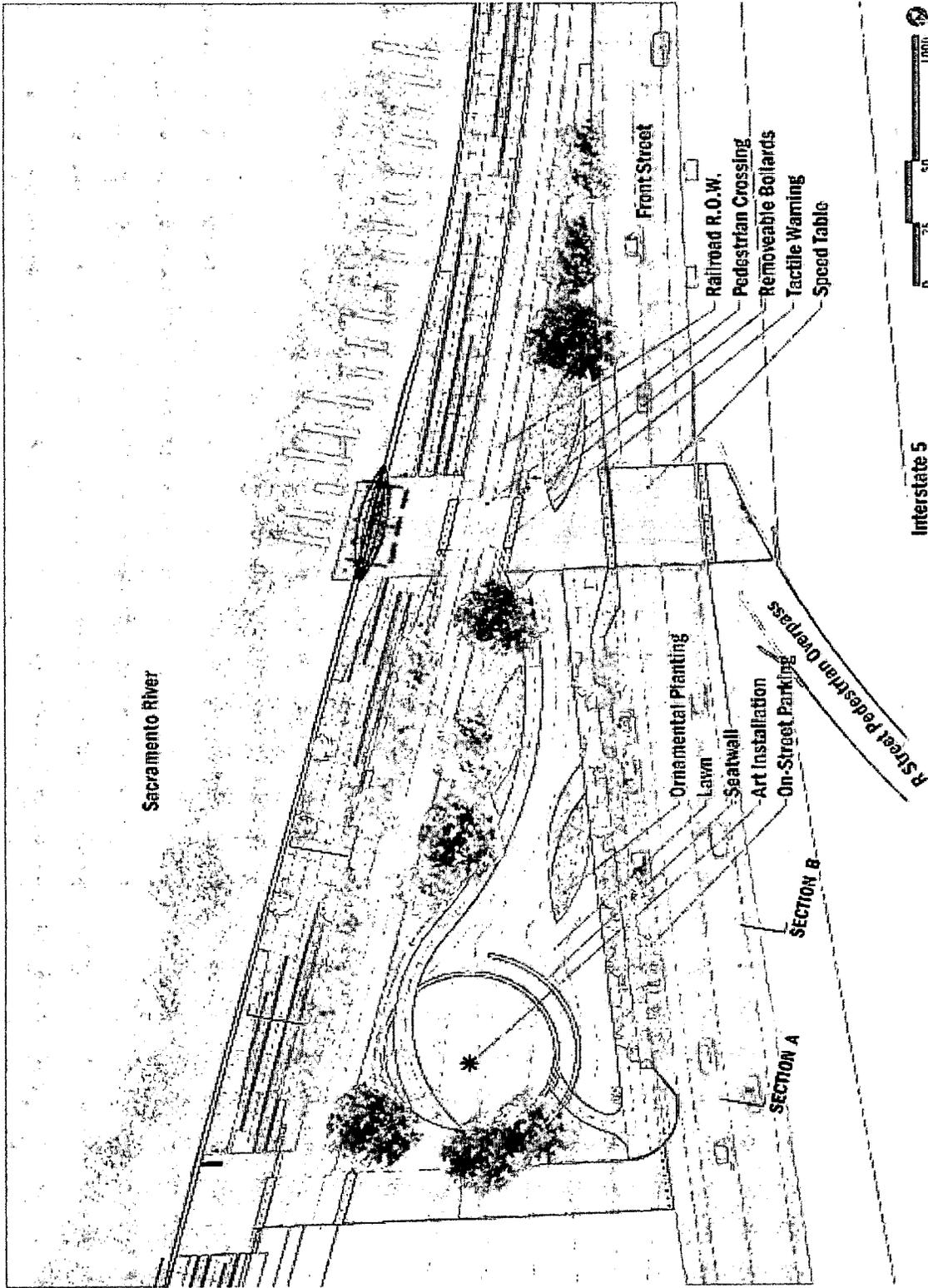
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# Attachment 2 Docks Promenade Parkway Approved Concept Design





Interstate 5

### Park Master Plan

The Docks Riverfront Promenade  
The City of Sacramento | October 20, 2005

Walker Macy  
Allens Consulting | Jones & Stokes  
Headman | Lumley/PAE | SAGE | Ball Park

**Attachment 4****BACKGROUND:**Promenade and R Street Park (Pioneer Landing Park) Design

*Design:* The Docks redevelopment area will revitalize an important waterfront location in the City. It will bring the citizens of Sacramento in touch with one of their greatest resources: the Sacramento River. This redevelopment will also provide significant new public open spaces and a new promenade connecting Old Sacramento to Miller Park, and ultimately providing one link in a series of trails that will connect the community to its resources.

The public open spaces within the Docks area are intended to be family-friendly and to be used by the new neighborhood's residents as well as those from the region. There are a series of 3 parks planned within the area. The Park at R Street will be the first park to be developed in the Docks area and will provide a good place for use for those on the Promenade as well as those crossing the R St. Overpass Bridge.

The 0.4-acre park will accommodate a variety of users. The park is an integral part of the Riverfront Promenade and includes a plaza, walkways, turf, a bermed, landscaped area, raised planters in the shape of ship hulls, seat walls, trees, shrubs, benches, a drinking fountain, and an Art in Public Places feature. Because the park and the Promenade are so integrated, they were conceptualized together in order to provide a sense of a larger combined experience for the user. Ample access to the park is provided from the Promenade and Front Street. Nautical forms of ship hulls have been used on the adjacent Promenade overlook, in the park as planting beds and in the Art in Public Places projects for both the Promenade and Pioneer Landing.

Within the park, a paved plaza is located in the southwest as a gathering place and a place to interact with an art piece. This piece will be a sculptural focal point day and night. Ample seating is provided in a variety of places to allow users choice as to direction of view, to sit in a group or individually, and to sit in the sun or shade. Open lawn in the central portion of the park will facilitate passive recreation. The park is intentionally designed for easy surveillance from Front Street in order to add to safety. It has been organized to provide a variety of entry points to encourage use and accommodate many modes of travel. On-street parking is provided to encourage spontaneous use by passersby. Located at the west end of the new R Street Overpass Bridge, the park will also be a stopping point for those enjoying the City's trail systems. The park will be well lit, both from within as well as from adjacent lighting of Front Street and the Promenade. This park will be an asset to the community and will provide a place to enjoy for generations to come.

In the future, it is envisioned that a multi-story building will be built to the west of the park that will accommodate a mix of uses such as a restaurant and housing. These uses will further enliven the park, day and night.

Two names were suggested for the park. The first is Pioneer Landing, which represents the Gold Rush immigrants from around the world that landed by boat in Sacramento and camped along the river bank. Additionally, the Pioneer Box Company was located in the Docks area near the site. The second is Foundry Park, which represents the many foundries and other industrial uses that dominated the Docks Area from the 1850s, well into the 1950s. In particular, the Union Iron Works Foundry was very near the park site.

*Community Meetings:*

In August, 2006, Walker Macy was awarded a contract for the Docks Promenade design. On October 26, 2006, the sixth Docks Area Community Workshop was held. This workshop introduced Ned Kahn, a prominent public artist who was selected to complete the art plan for the Docks Promenade.

On April 11, 2007, the design team met with the City's project Technical Advisory Committee (TAC), neighborhood groups, outside agencies and organizations to discuss the development of Promenade concept plans.

On April 18, 2007, the Redevelopment Agency held the seventh Docks Area Community Workshop. Wallace Roberts and Todd presented refined land use plans for the Docks Area plan and Walker Macy presented design options for the Promenade. This workshop also served as an additional scoping meeting for environmental documents.

Additional stakeholder and TAC meetings were held on June 13, 2007 to allow for additional input as refinements to the promenade design concepts were developed. As a result of these meetings, the current alternative was selected for development of design drawings.

On June 13, 2007, prominent public artist Ned Kahn presented refined concepts for the promenade art program to the Art in Public Places/Sacramento Metropolitan Arts Commission (SMAC) and received additional input for refinements to the art program for the promenade.

On October 18, 2007, a presentation was made to the City's Disabilities Advisory Commission to receive input and supported the proposed design. On December 6, 2007, the Parks and Recreation Commission supported 30% design drawings for the entire promenade.

From December, 2007 through March, 2008, staff met with special interest groups to discuss and receive input on the design prior to preparation of 60% design: Downtown Development Group, Southside Park Neighborhood Group, Old Sacramento, the Greater Broadway Association, and the NAG.

In April, 2008, the Final Arts Plan was presented to the SMAC for review and comment. On June 9, 2008, the SMAC approved the Docks Promenade Arts Plan and selected Ned Kahn to be the first artist to build a piece of art to be incorporated into Phase I of the Promenade. Artists will be selected for each phase of the project.

Detailed design features of promenade and park elements were approved by the Parks and Recreation Commission (PRC) and City Council in September 2008. On November 20, the Disabilities Advisory Commission received an update on the progress of the Phase I design and the Commission supported further design development.

On November 6, 2008, the Parks and Recreation Commission supported approval of naming the Park at R Street “Pioneer Landing” and of the Park Master Plan for Pioneer Landing.

**RESOLUTION NO. 2009-XXXX**

Adopted by the Sacramento City Council

**January 27, 2009**

**ACCEPTING A MAXIMUM GARANTEED PRICE FOR THE CONSTRUCTION OF THE DOCKS PROMENADE – PHASE 1 WITH FLINTCO, INC.; APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH FLINTCO, INC.; AND APPROVING THE PARK NAME AND A PARK MASTER PLAN FOR PIONEER LANDING PARK**

**BACKGROUND**

- A. In July 2003, the City Council of the City of Sacramento accepted the Sacramento Riverfront Master Plan (Master Plan). The Master Plan includes the Docks Area as an opportunity site. The original concept for the Docks Area included a mixed-use neighborhood and a riverfront promenade.
- B. In 2005-2008, the City of Sacramento (City) engaged in an extensive community planning process to further define the Docks Area. The Docks Area community planning process resulted in a draft Specific Plan for a high-density, mixed-use neighborhood with a riverfront promenade along the Sacramento River.
- C. In August 2006, the City Council awarded a contract to Walker Macy for the Docks Promenade Design. Following an extensive community design process, the City Council approved the Promenade Design on October 16, 2007.
- D. On July 15, 2008, the City Council reaffirmed the adoption of the Docks Promenade Parkway Plan, adopted an environmental document for the project, established a project budget of \$5,359,951 (B18430000), approved the use of Proposition 40 Grant Funds, suspended competitive bidding for the construction of the Docks Promenade – Phase I pursuant to Section 3.60.170 D of the Sacramento City Code, and directed staff to issue a Design/Assist Request for Qualifications (RFQs) for the Docks Promenade – Phase I improvements (“the Project”) (City Resolution number 2008-488 and Agency Resolution number 2008-052).
- E. On July 23, 2008 a Request for Qualifications for the selection of a Construction Manager/General Contractor (CM/GC) for the Project was issued and five companies submitted proposals on August 22, 2008.
- F. Following interviews, the Selection Committee chose Flintco, Inc. to provide technical consulting services through 100% design and for General Contracting services for the Project.

- G. On November 6, 2008, the Parks and Recreation Commission supported approval of naming of the park at R Street as “Pioneer Landing” and of a Park Master Plan for Pioneer Landing.

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

- Section 1 After due consideration of the evidence presented, the findings, including the environmental findings regarding this action as stated in the staff report that accompanies this Resolution, are approved.
- Section 2 The City Manager or his designee is authorized to enter into a loan agreement with the City of Sacramento Redevelopment Agency for a no interest \$1,500,000 loan from Merged Downtown Tax Increment Funds for the construction of the Docks Promenade – Phase I. The City will repay (from B18430000) the Agency (Fund 100) once grant reimbursements are received.
- Section 3 The Guaranteed Maximum Price (GMP) for the Docks Promenade – Phase I Project in the amount of \$4,909,000 is accepted.
- Section 4 The transfer of \$200,000 of Quimby Act Fees, Fund 2508 to the Docks Promenade - Phase I (B18430000) is approved.
- Section 5 The construction agreement for the construction of the Docks Promenade – Phase I Project (B18430000) with Flintco, Inc. for a price not to exceed the GMP, is approved and the City Manager is authorized to execute the agreement.
- Section 6 The name of Pioneer Landing for the park at R Street and the riverfront is approved.
- Section 7 The Park Master Plan for Pioneer Landing is approved.

**Attachment 6**

**RESOLUTION NO. 2009-**

Adopted by the Redevelopment Agency  
of the City of Sacramento

**MERGED DOWNTOWN SACRAMENTO REDEVELOPMENT PROJECT AREA  
DOCKS AREA CAPITAL IMPROVEMENT PROJECT**

**BACKGROUND**

- E. In July 2003, the City Council of the City of Sacramento accepted the Sacramento Riverfront Master Plan (Master Plan). The Master Plan includes the Docks Area as an opportunity site. The original concept for the Docks Area included a mixed-use neighborhood and a riverfront promenade.
- F. In 2005-2008, the City of Sacramento (City) engaged in an extensive community planning process to further define the Docks Area. The Docks Area community planning process resulted in a draft Specific Plan for a high-density, mixed-use neighborhood with a riverfront promenade along the Sacramento River.
- G. In August 2006, the City Council awarded a contract to Walker Macy for the Docks Promenade Design. Following an extensive community design process, the City Council approved the Promenade Design on October 16, 2007.
- H. On July 15, 2008, the City Council reaffirmed the adoption of the Docks Promenade Parkway Plan, adopted an environmental document for the project, established a project budget of \$5,359,951 (B18430000), approved the use of Proposition 40 Grant Funds, suspended competitive bidding for the construction of the Docks Promenade – Phase I pursuant to Section 3.60.170 D of the Sacramento City Code, and directed staff to issue a Design/Assist Request for Qualifications (RFQs) for the Docks Promenade – Phase I improvements (“the Project”) (City Resolution number 2008-488 and Agency Resolution number 2008-052).
- E. On July 23, 2008 a Request for Qualifications for the selection of a Construction Manager/General Contractor (CM/GC) for the Project was issued and five companies submitted proposals on August 22, 2008.
- F. Following interviews, the Selection Committee chose Flintco, Inc. to provide technical consulting services through 100% design and for General Contracting services for the

Project.

- G. On November 6, 2008, the Parks and Recreation Commission supported approval of naming of the park at R Street as “Pioneer Landing” and of a Park Master Plan for Pioneer Landing.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY RESOLVES AS FOLLOWS:**

- Section 1 After due consideration of the evidence presented, the findings, including the environmental findings regarding this action as stated in the staff report that accompanies this Resolution, are approved.
- Section 2 Pursuant to section 33445 of the Health and Safety Code of the State of California, the Agency makes the following findings:
- a) The Docks Area Project, including the construction of promenade improvements are of benefit to the Merged Downtown Redevelopment Project Area because the improvements will be a catalyst for develop of a high-density mixed-use development and the remediation of a Brownfields site.
  - b) There are no other reasonable means of financing a portion of the Project and funds must be committed prior to the grant application.
  - c) The use of redevelopment area tax increment proceeds for the Project will result in the elimination of blighting influences of inadequate, under-capacity and dilapidated infrastructure inside the Project Area and the Projects is consistent with the implementation plan adopted pursuant to Health and Safety Code of the State of California, section 33490.
- Section 3 The Executive Director or her designee is authorized to enter into a loan agreement subject to the approval as to form by Agency Counsel with the City of Sacramento for a no interest \$1,500,000 loan from Merged Downtown Tax Increment Funds \$750,000 from the Docks Area Project (Fund 100) and \$750,000 from the Pioneer Bridge Project (Fund 100).
- Section 4 The Agency is authorized to receive repayment of funds from the City (from B18430000) and is authorized to re-appropriate \$750,000 to the Docks Area Project (Fund 100) and \$750,000 to the Pioneer-Bridge Project by \$750,000 (Fund 100).

**Attachment 7**

**Construction Contract**

**ON FILE IN THE OFFICE OF THE CITY CLERK**