



REPORT TO COUNCIL

City of Sacramento

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

CONSENT
August 17, 2010

Honorable Mayor and
Members of the City Council

**Title: Contract: Niños Parkway – Phase 3 Project (K19007000) (2/3 Vote
Required)**

Location/Council District: Niños Park Bikeway between San Juan Road and West El
Camino Avenue / Council District 1

Recommendation: Adopt a **Resolution:** 1) approving the contract plans and specifications for Niños Parkway - Phase 3 (K19007000); 2) rejecting all bids and suspending further competitive bidding as it is in the best interests of the City; 3) appropriating Planning Area 9 Quimby In Lieu Fees (Fund 2508) in the amount of \$20,000 to Niños Parkway Bike Trail 1C (K19007000); and 4) directing the City Manager, or City Manager's designee, to negotiate and execute a contract with Hemington Landscape Services Inc. for parkway improvements in an amount not to exceed \$180,000.

Contact: C. Gary Hyden, Supervising Landscape Architect, 808-1949; J.P. Tindell,
Park Planning and Development Manager, 808-1955

Presenters: Not applicable

Department: Parks and Recreation

Division: Park Planning & Development Services

Organization No: 19001121

Description/Analysis

Issue: On April 8, 2004, City Council approved the Niños Park Bikeway Master Plan in Resolution 2004-260. The bikeway is approximately 1.9 miles long and is located on a Western Area Power Authority (WAPA) easement that runs from Garden Highway (at Niños Park) northward terminating at the drainage canal between San Juan Road and I-80 in the South Natomas Community Planning Area (Attachment 2, page 7).

The formal bid process for this project has been completed. On May 19, 2010, one bid was received for the construction of Phase 3 in the amount of \$312,378

from Hemington Landscape Services Inc. This bid far exceeded the staff/engineer's estimate of \$216,500 and the project's available funding. Staff has asked the contractor to propose cost reduction alternatives. Hemington Landscape Services Inc. has agreed that a lower price could be negotiated by reducing the irrigation and planting and eliminating enhancements to the existing service road. These recommendations allow the City to deliver a complete project and meet grant requirements within the available project funding. Therefore, staff requests that the City Council rejects all bids, suspend competitive bidding as it is in the best interests of the City, and authorize the City Manager, or City Manager's designee, to negotiate a contract with Hemington Landscape Services Inc. in an amount not to exceed \$180,000.

In order to award the contract, staff seeks approval to augment the existing park budget by appropriating Planning Area 9 Quimby In Lieu Fees (Fund 2508) in the amount of \$20,000 to Niños Parkway Bike Trail 1C (K19007000).

A summary of the project history is included as Attachment 1 (page 6) and a location map is included as Attachment 2 (page 7).

Policy Considerations: Sacramento City Code Chapter 3.60 identifies the general guidelines for complete contracts for public projects and procedures for bidding and issuing contracts over \$100,000.

City Council approval is required to reject bids. Furthermore, the recommendations in this report are consistent with the provisions of City Code Sections 3.56.230(c) and 3.60.170(D) which authorize the suspension of formal competitive bidding upon a two-thirds vote of the City Council, when this is determined to be in the best interests of the City.

Utilizing Quimby in Lieu Act Fees for improvements to a park is consistent with Sacramento City Code Section 16.64.060 as these funds will be used for ". . . improvement, and expansion of the public parks, playgrounds and recreational facilities".

Providing parks and recreation facilities is consistent with the City's strategic plan to enhance livability in Sacramento's neighborhoods by expanding park, recreation, and trail facilities throughout the City.

This is also part of the Park Development Process for park planning as stated in the *2005-2010 Parks and Recreation Master Plan*.

Committee/Commission Action: The Niños Park Bikeway Master Plan (Attachment 3, page 8) was reviewed and supported by the Parks and Recreation Citizens Advisory Committee (CAC) on March 6, 2003.

Environmental Considerations:

California Environmental Quality Act (CEQA): The Environmental Services Manager has reviewed this project and determined that it is exempt from the provisions of the CEQA pursuant to Class 4, Section 15304, of the CEQA Guidelines (Title 14 Cal. Code Reg. § 15000 et seq.) because it involves the minor alteration in the condition of land involving grading on land; installing new landscaping; minor trenching or backfilling; and the creation of bicycle lanes on existing rights of way.

Sustainability Considerations: The Niños Parkway Phase 3 project has been reviewed for consistency with the goals, policies and targets of the City’s Sustainability Master Plan (SMP), the Parks and Recreation Sustainability Plan (PRSP), and the 2030 General Plan. The renovation of this park will advance these plans by reducing air pollution, reducing water consumption, and expanding recreation opportunities. This park renovation is consistent with sustainable design and development standards now applied to all City park design to incorporate play equipment and site furniture manufactured from recycled materials, a water efficient centralized irrigation system, native plantings, 20% less turf and more naturalized, drought-tolerant plantings to minimize water use.

Rationale for Recommendation: The formal bidding process for the Niños Parkway Phase 3 project was posted in accordance with Code 3.60 and Administrative Policy Instruction #4002. The project was posted and the bids were opened on May 19, 2010. The staff/engineer’s estimate for this project was \$216,500. Staff received one bid and the result is listed below.

CONTRACTOR	Base Bid	Additive Alternates	Total Bid
Hemington Landscape Services Inc.	\$276,361.00	\$36,017.00	\$312,378.00

Only one bid was received for the construction of Phase 3. This bid far exceeded the staff/engineer’s estimate and available funding. Staff has negotiated cost reduction alternatives with the contractor, Hemington Landscape Services Inc. to allow the City to deliver a complete project and meet the grant requirements within the available project funding.

Staff requests that the City Council approve the contract plans and specifications, reject all bids, suspend competitive bidding finding that it is in the best interests of the City, and authorize the City Manager, or City Manager’s designee, to negotiate a contract with Hemington Landscape Services Inc. in an amount not to exceed \$180,000. Rejecting bids pursuant to City Code 3.88.060 and suspending competitive bidding pursuant to City Code Section 3.60.170D and negotiating a contract for materials and equipment purchasing and construction

services will enable the project to be completed faster and more efficiently than if the bid documents were revised and rebid.

Development of the first section of the bikeway is from San Juan Road to West El Camino Avenue and consists of three phases – Phase 1 (1A), Phase 2 (1B) and Phase 3 (1C). Phase 1 and 2 are complete and included construction of the asphalt bike trail between San Juan Road and West El Camino Avenue along with a maintenance access road, benches, concrete paving, limited planting and irrigation. Phase 3 (1C) will complete the work for this section.

The Phase 3 improvements to the parkway will consist of the following: clearing and grubbing, grading, access road curb cut, automatic irrigation system, central irrigation control system, access road markers, fitness stations, and groundcover, shrub, tree and native hydroseed planting.

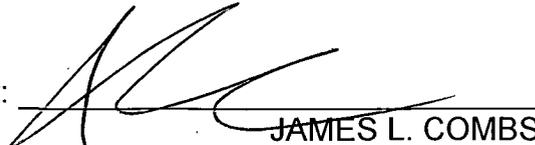
Financial Considerations: Only one bid was received for the construction of Phase 3. This bid far exceeded the staff/engineer's estimate of \$216,500 and the project's available funding. Staff has negotiated cost reduction alternatives with the contractor, Hemington Landscape Services Inc. to allow the City to deliver a complete project and meet the grant requirements within the available project funding. Staff requests that the City Council approve the contract plans and specifications, reject all bids, suspend competitive bidding as it is in the best interests of the City, appropriate Planning Area 9 Quimby In Lieu Fees (Fund 2508) in the amount of \$20,000 to Niños Parkway Bike Trail 1C (K19007000) project, and authorize the City Manager, or City Manager's designee, to negotiate a contract with Hemington Landscape Services Inc. in the amount of \$180,000 for this project.

There are sufficient funds to award the contract for the project from K19007000. Funding for this project comes from State Government Capital Grant (\$200,000).

Development of parks creates an ongoing cost for park maintenance and utilities based on the size of the park. Maintenance staffing for this parkway development has been provided for in the Department's approved Operating Budget.

Emerging Small Business Development (ESBD): ESBD is not applicable to this federally funded project. City Code Sections 3.60.260 through 3.60.280 (SBE), inclusive, of this chapter, shall not apply to any contract or agreement awarded under or funded by any federal or state program that includes minority business enterprise (MBE), women business enterprise (WBE), and/or disadvantaged business enterprise (DBE) participation goals. Such contracts or agreements shall be awarded in accordance with the applicable MBE, WBE, and/or DBE requirements and procedures.

Respectfully Submitted by:


JAMES L. COMBS
Director, Parks and Recreation

Recommendation Approved:

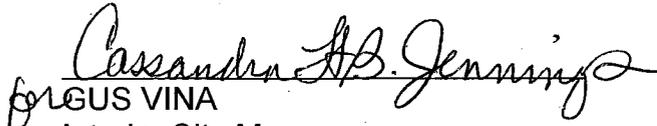

for GUS VINA
Interim City Manager

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Attachment 1**Background Information**

On April 8, 2004, the City Council approved the Niños Park Bikeway Master Plan in Resolution 2004-260. The bikeway is approximately 1.9 miles long and is located on a Western Area Power Authority (WAPA) easement that runs from Garden Highway (at Niños Park) northward terminating at the drainage canal between San Juan Road and I-80 in the South Natomas Community Plan Area. This easement is used by WAPA for their power lines and for maintenance of their towers.

The Niños Park Bikeway Master Plan includes a paved bikeway, low maintenance landscaping, and active use areas for sports fields adjacent to Strauch School and Rio Tierra School. The master plan includes security lighting and call boxes along the bike trail; a teaching garden for the school children; community gardens at the southern end of the bike trail; a par course, which is an exercise course with a series of individual exercising stations along a section of the parkway; a small dog park; benches and picnic tables; and some sculptural elements for Art in Public Places

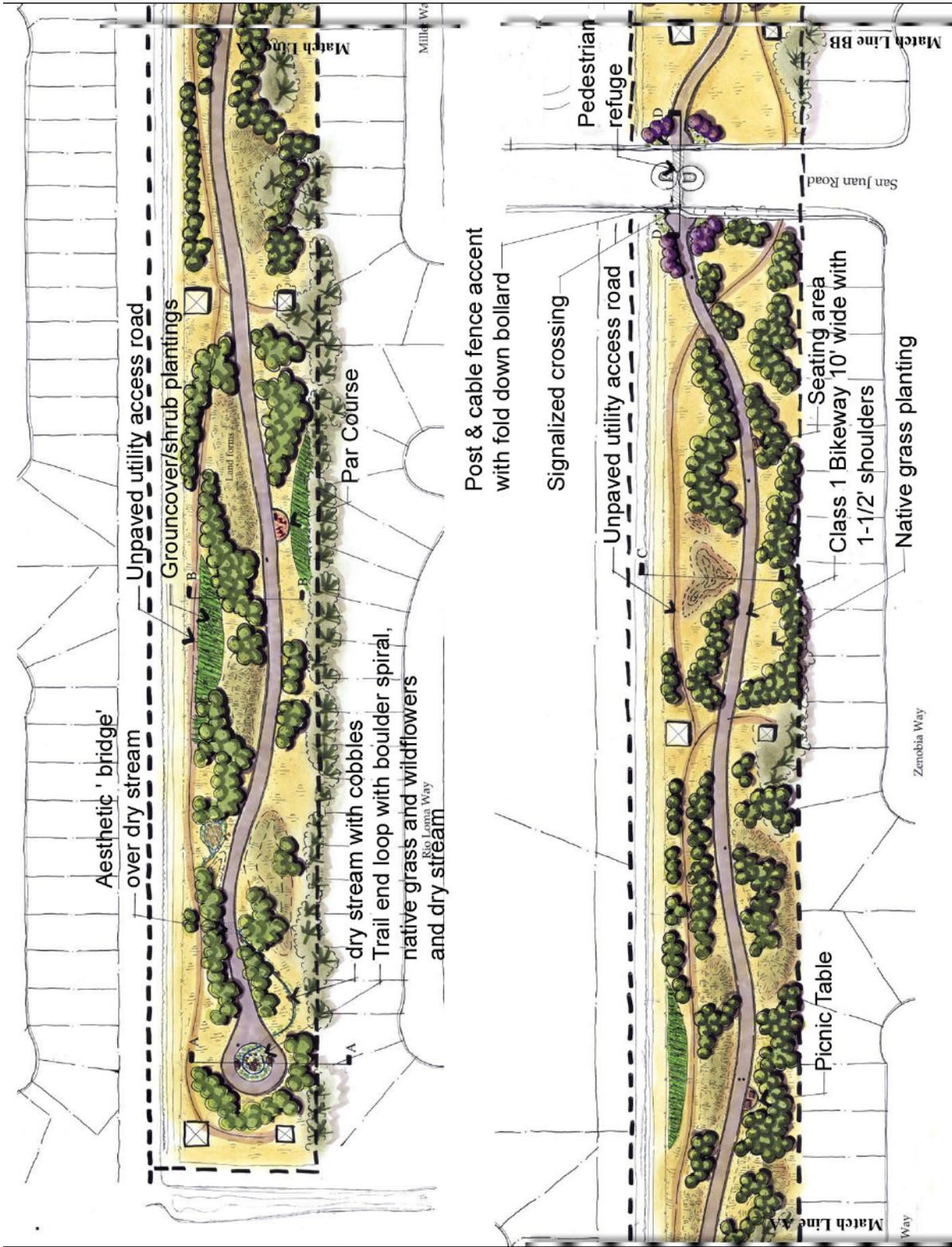
Development of the first section of the bikeway is from San Juan Road to West El Camino Avenue and consists of three phases – Phase 1 (1A), Phase 2 (1B) and Phase 3 (1C). Phase 1 and 2 are complete and included construction of the asphalt bike trail between San Juan Road and West El Camino Avenue along with a maintenance access road, benches, concrete paving, limited planting and irrigation. Phase 3 (1C) will complete the work for this section and includes installation of a central irrigation control system, additional automatic irrigation, trees, shrubs, groundcovers and native hydroseed planting.

Construction for Phase 3 (1C) is expected to begin in mid-August 2010 and be completed by the end of October 2010.

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Attachment 3

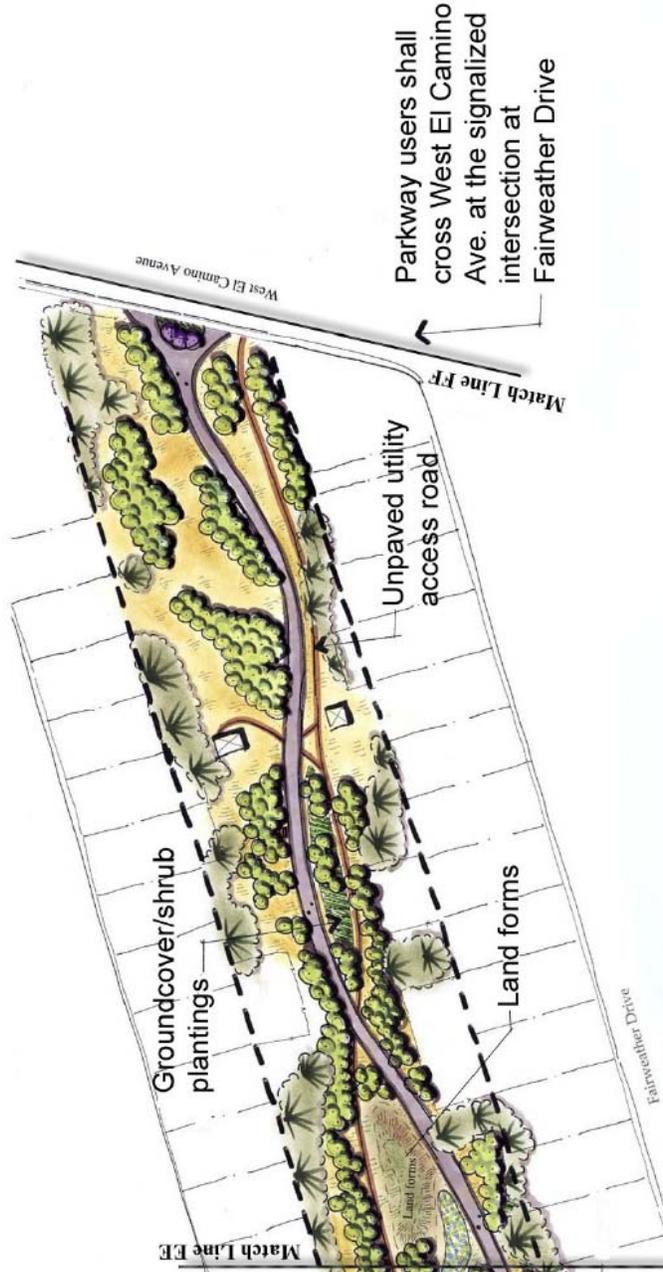
Ninos Park Bikeway Master Plan – Section 1



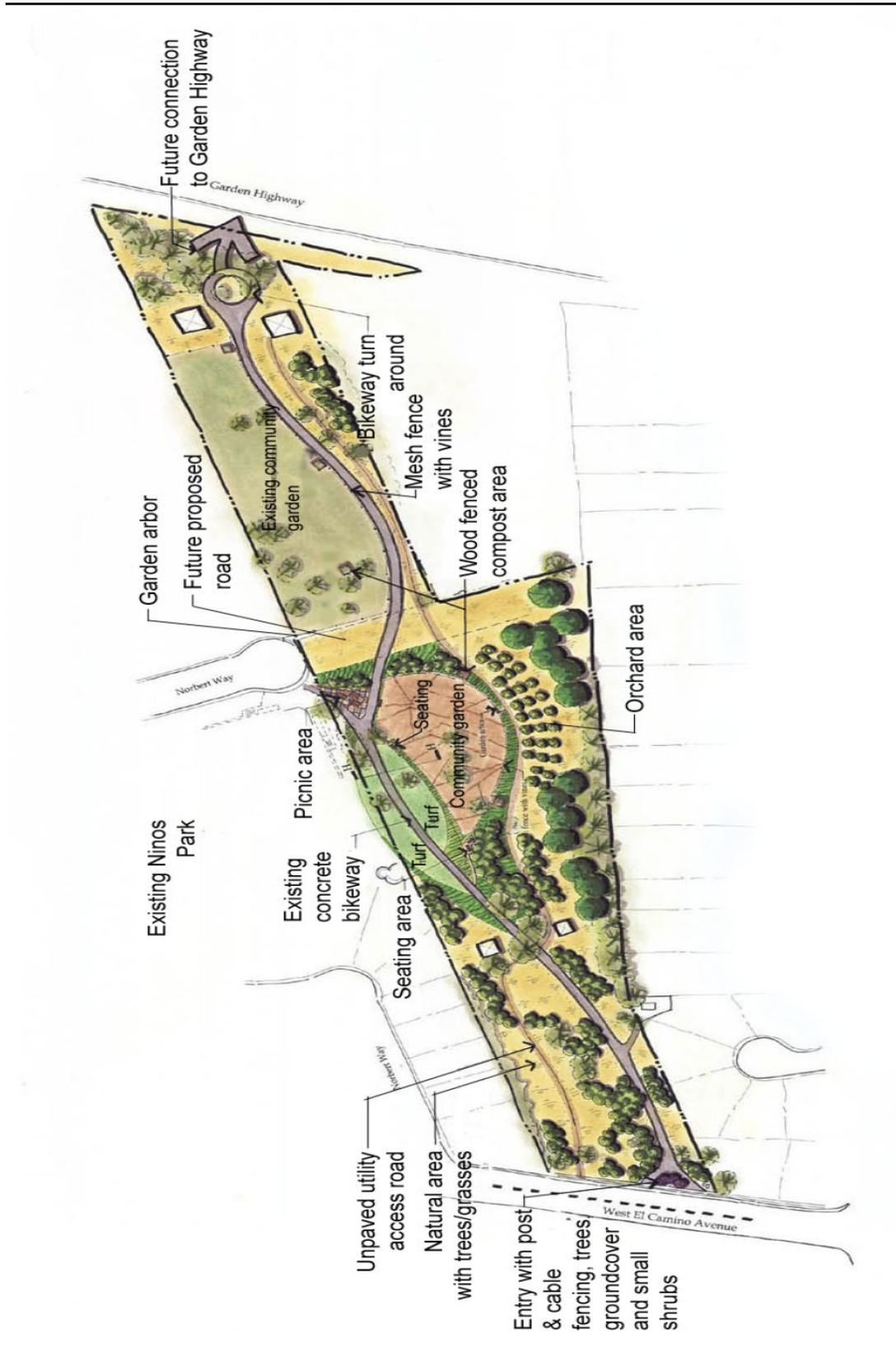
Niños Park Bikeway Master Plan – Section 2



Niños Park Bikeway Master Plan – Section 3



Niños Park Bikeway Master Plan – Section 4



RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

August 17, 2010

APPROVING A CONTRACT: NIÑOS PARKWAY - PHASE 3 (K19007000)

BACKGROUND

- A. The Niños Park Bikeway is approximately 1.9 miles long and is located on a Western Area Power Authority (WAPA) easement that runs from Garden Highway (at Ninos Park) northward terminating at the drainage canal between San Juan Road and I-80 in the South Natomas Community Planning Area.
- B. The Niños Park Bikeway Master Plan was reviewed and supported by the Parks and Recreation Citizens Advisory Committee (CAC) on March 6, 2003, and approved by City Council on April 8, 2004, Resolution 2004-260.
- C. Development of the bikeway between San Juan Road and West El Camino Avenue consists of three phases –Phase 1 (1A), Phase 2 (1B) and Phase 3 (1C). Phases 1 and 2 are complete.
- D. City Code Chapter 3.60 identifies the general guidelines for completing contracts for public projects and procedures for bidding and issuing contracts over \$100,000.
- E. The formal bid process for the Niños Parkway – Phase 3 project has been completed based on the qualifications set forth by the City.
- F. Only one bid was received for the construction of the Niños Parkway - Phase 3 project. This bid far exceeded the staff/engineer's estimate of \$216,500 and the project's available funding.
- G. Utilizing Quimby in Lieu Act Fees for improvements to a park is consistent with Sacramento City Code Section 16.64.060 as these funds will be used for "... improvement, and expansion of the public parks, playgrounds and recreational facilities".
- H. Staff has negotiated cost reduction alternatives with the contractor, Hemington Landscape Services Inc. The cost reduction alternatives allow the City to deliver a complete project and meet grant requirements associated with the project funding.
- I. Pursuant to City Code 3.88.060, staff requests that the City Council rejects all bids.

- J. Pursuant to City Code Section 3.60.170D, staff requests that the City Council suspend competitive bidding and authorize the City Manager to negotiate a contract with Hemington Landscape Services in an amount not to exceed \$180,000 finding that it is in the best interests of the City to suspend the bid procedure in order to negotiate a contract for materials and equipment purchasing and construction services necessary to complete the Niños Parkway - Phase 3 project. This process will enable the project to be completed faster and more efficiently than if the bid documents were revised and rebid.
- K. There are sufficient funds in K19007000 to award this contract

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

- Section 1. The contract plans and specifications for Niños Parkway - Phase 3 are approved.
- Section 2. All bids for Niños Parkway - Phase 3 are rejected and further competitive bidding is suspended.
- Section 3. That \$20,000 of Planning Area 9 Quimby In Lieu Fees (Fund 2508) is appropriated for Niños Parkway Bike Trail 1C (K19007000).
- Section 4. The City Manager, or City Manager's designee, is directed to negotiate and execute a contract for the Niños Parkway – Phase 3 project with Hemington Landscape Services Inc. for improvements in the parkway for an amount not to exceed \$180,000.