RESOLUTION NO. 2007-289

Adopted by the Sacramento City Council

May 22, 2007

AGREEMENTS AND SUPPLEMENTAL AGREEMENTS: RAILYARDS AND INTERMODAL TRANSPORTATION FACILITY DEVELOPMENT

BACKGROUND

A. The Railyards and Intermodal Transportation Facility (ITF) developments have required, and will continue to require, consultants, working on the City's behalf, to augment staff review and analysis.

B. The complexity and magnitude of the proposal requires consultants in many different disciplines.

C. Funds are available from $500,000 appropriated in the Community Reinvestment Capital Improvement Program for these purposes and from funds provided by Thomas Enterprises.

D. The City Council is fully advised in this matter.

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

Section 1. The above background statements A through D are true and correct.

Section 2. The City Manager is authorized to enter into various agreements and supplemental agreements in the total amount of a $468,830 as detailed on Exhibit A, "Agreements and Supplemental Agreements", which is incorporated herein by reference.

Section 3. The City Manager is authorized to accept $156,561 from Thomas Enterprise for their share of the development project.

Section 4. The City Manager is authorized to designate $22,883 from the CRCIP for TEA-21 Federal matching funds.

Section 5. The City Manager is authorized to designate $130,000 from the CRCIP for Federal Regional Surface Transportation Program (RSTP) matching funds.

Section 6. The City Manager is authorized the transfer of $254,703 from Railyards Development (PN: TV96) to Sacramento Intermodal Transportation Facility

(PN: CF41) to cover federal matching requirements and CF41 specific agreements.

Section 7. The City Manager is authorized to implement the necessary revenue and expense budgetary transactions to implement actions approved in Section 3 – 6.

Section 8. No use of these funds contrary to the above authorizations may be made without the review and approval of the City Council.

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Exhibit A: Agreements and Supplemental Agreements

Adopted by the City of Sacramento City Council on May 22, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: Councilmember Tretheway.

Heather Fargo

Mayor Heather Fargo

Attest:

Dawn Bullwinkel

Dawn Bullwinkel, Assistant City Clerk

EXHIBIT A

Exhibit A

Agreements and Supplemental Agreements:

Dowling – Initial Traffic Analysis
Supplemental Agreement Number 2006-0699-1 to City Agreement 2006-0699 with Dowling and Associates in the amount of $40,761 for work on the initial traffic study that exceeded budget and to allocate a one-third share net of a $478 credit, or $13,428, in CRCIP funds. The balance will be paid by Thomas Enterprises.

EIP – EIR Decay Analysis
Supplemental Agreement Number 2006-0698-1 to City Agreement 2006-698 with EIP Associates in the amount of $91,885, adding an additional task for a Decay Analysis, assessing the effect on existing retail of the proposed retail, and to allocate a one-third share, or $30,628, in CRCIP funds. The balance of the agreement will be funded by Thomas Enterprises.

Dowling – On-Call Interim Work and Additional Traffic Analysis
Supplemental Agreement Number 2007-0043-1 to City Agreement 2007-0043 with Dowling and Associates in the amount of $234,842 for on-call services ($13,142) and new traffic study ($221,700), and to allocate a one-third share, or $78,281, in CRCIP funds. The balance of the agreement will be funded by Thomas Enterprises.;

Transportation Financial Planning
To assist with transportation financial planning for the ITF, a contract with Transportation Solutions is proposed for a cost of $65,000. Because this work will exclusively benefit the City, a 100% share in City funds is recommended.

Infrastructure Needs Analysis
As part of the City's site acquisition, appraisal, and alternative "highest and best use" development at the Depot and proposed Intermodal location, an infrastructure evaluation is required to determine what infrastructure is needed to implement the Intermodal development. A contract with Harris and Associates is proposed for this purpose in the amount of $22,320, with a 100% share from City funds.

Depot Parking Lot Design
Design work on the depot parking lot required a design contract with Carter-Burgess at a cost of $10,500. Carter-Burgess is an engineering firm that had done prior similar design work on the site and could prepare work in a timely manner to coordinate with developer interests. Given the cost of this work, qualifications and the priorities of the project, this work was not competitively bid, and is therefore not eligible for Federal grant reimbursement. Recommended here is an allocation of CRCIP funds for the purpose.

Website Design
Funding for website design that has been contracted with Ward Associates at a cost of $4,000. Ward Associates is the City's special consultant for this type of work. Because of this, and the magnitude of the cost, the contract was not competitively let, and, so, is also not eligible for Federal reimbursement. Recommended here is an allocation of CRCIP funds for the purpose.