REPORT TO COUNCIL
City of Sacramento

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

Consent
September 18, 2007

Honorable Mayor and
Members of the City Council

Title: Ninos Parkway Bike Trail Project (PN: HC61)

Location/Council District: Ninos Parkway Bike Trail Phase 1B (between San Juan Road and Edmonton Drive) and Phase 1C (between Strauch Park and West El Camino Avenue). Location map – Exhibit A of Resolution. (District 1)

Recommendation: Adopt a **Resolution** 1) rejecting all bids received July 25, 2007 for the Ninos Parkway Bike Trail Project (PN: HC61); and 2) directing staff to re-advertise the project.

Contact: Ricky Chuck, Senior Civil Engineer, (916) 808-5050; Jon Blank, Supervising Engineer, (916) 808-7914

Presenters: None

Department: Transportation

Division: Engineering Services

Organization No: 3434

Description/Analysis

Issue: The apparent low bidder, Biundo Landscape Construction Inc, was deemed non-responsive for its failure to submit documentation of its ESBE certification. Biundo Landscape Construction is certified as an ESBE and has filed a bid protest.

Policy Considerations: Sacramento City Code requires City Council's approval to reject bids.

Environmental Considerations: On April 16, 2004, the City Council approved the Initial Study, the Mitigated Negative Declaration and adopted the Mitigation Monitoring Plan for the Ninos Parkway Master Plan, (CIP# LS78). The current request is for the awarding of the contract for construction of the Ninos Parkway Bike Trail Phases 1B and 1C project. The project components were evaluated within the Mitigated Negative Declaration. Therefore, the proposed project will not result in impacts over and above what was previously evaluated.

Section 15162 of the CEQA Guidelines provides that an additional Negative Declaration need not be prepared unless subsequent changes are proposed in the project, substantial changes occur with respect to the project circumstances, or new information of substantial importance to the project becomes known or available. As none of the conditions listed above relating to Section 15162 exist; additional environmental review is not required.

A Mitigation Monitoring Plan was prepared for the mitigation measures identified in the previous Negative Declaration. The City shall comply with the applicable Mitigation Monitoring Plan requirements.

Rationale for Recommendation: Staff recommends rejecting all bids received without deciding the bid protest and re-advertising the project on the basis that this will be the most reasonable action to resolve the issue in a timely manner.

Financial Considerations: As of July 11, 2007, the Ninos Parkway Bike Trail Phase 1B and Phase 1C Project (PN: HC61) has an unobligated balance of $518,896.

Emerging Small Business Development (ESBD): No goods or services are being procured by this action.

Respectfully Submitted by: _____
Nicholas Theocharides
Engineering Services Manager

Approved by: _____
Jerry Way
Director of Transportation

Recommendation Approved:

_____
RAY KERRIDGE
City Manager

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Attachment 1

Background Information:

The Ninos Parkway Bike Trail Phase 1B and Phase 1C Project is part of the development of the Ninos Parkway Trail between San Juan Road and West El Camino Avenue. Phase 1A (between Strauch Park and Edmonton Drive) was completed in 2005. This project will construct the Parkway Bike Trail between Edmonton Drive and San Juan Road (Phase 1B) and between Strauch Park and West El Camino Avenue (Phase 1C). The work consists of constructing an asphalt bike trail, concrete pavement, maintenance access road, raised crosswalk across Edmonton Drive, fencing, signage, shrubs and irrigation system.

Phase 1C is funded with the State Bicycle Transportation Account in the amount of $335,000. Phase 1B is funded with the State Department of Parks and Recreation, Recreational Trails Program in the amount of $150,000.

The project was advertised and bids were received on July 25, 2007. The bids are summarized below:

Contractor	Bid Amount	ESBE Participation Goal 20%
Biundo Landscape Construction, Inc	$359,997.50	3.8%
Western Engineering	$369,978.00	26.9%
Granite Construction Company	$385,842.00	20.8%
Martin Brothers Construction	$387,259.00	20.0%
Gold Valley Construction, Inc.	$395,269.00	100.0%
A C General Engineering, Inc.	$414,093.08	20.2%
Olympic Land Construction, Inc.	$428,352.40	93.7%
C&C Construction Inc.	$446,779.00	39.4%
Parker Landscape	$474,111.20	93.4%
American Landscape	$488,751.00	25.2%
Biondi Paving, Inc.	$499,785.00	96.7%
Westcon Construction	$516,949.00	57.5%

The apparent low bidder, Biundo Landscape Construction, Inc. was determined not responsive due to its failure to submit documentation of its ESBE certification within the required bid certification time frame. When staff issued a Notice of Intent to Award proposing the contract be awarded to the second low bidder, Biundo Landscape Construction submitted a bid protest.

Biundo Landscape Construction received its ESBE recertification on July 6, 2007. Staff investigated the bid protest and recommends rejecting of all bids received without deciding the bid protest and re-advertising the project on the basis that this will be the reasonable action to resolve the issue in a timely manner.

Staff will re-advertise the project in September. Construction is anticipated to begin in November 2007 and will be completed in February 2008.

Attachment 2

RESOLUTION NO.

Adopted by the Sacramento City Council

REJECT BIDS FOR THE NINOS PARKWAY BIKE TRAIL PROJECT (PN: HC61)

BACKGROUND

A. The Ninos Parkway Bike Trail Phase 1B and Phase 1C Project is part of the development of the Ninos Parkway Trail between San Juan Road and West El Camino Avenue. Phase 1A (between Strauch Park and Edmonton Drive) was completed in 2005. This project is to construct the Parkway Bike Trail between Edmonton Drive and San Juan Road (Phase 1B) and between Strauch Park and West El Camino Avenue (Phase 1C). The work consists of constructing an asphalt bike trail, concrete pavement, maintenance access road, raised crosswalk across Edmonton Drive, fencing, signage, shrubs and irrigation system.

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C. Biundo Landscape Construction received its ESBE recertification on July 6, 2007. Staff investigated the bid protest and recommends rejecting of all bids received without deciding the bid protest and re-advertising the project on the basis that this will be the reasonable action to resolve the issue in a timely manner.

Staff will re-advertise the project in this September. Construction is anticipated to begin in November 2007 and will be completed in February 2008.

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

Section 1. The bids received on July 25, 2007 for the Ninos Parkway Bike Trail Phase 1B and Phase 1C Project (PN: RM71) are rejected and the project should be re-advertised.

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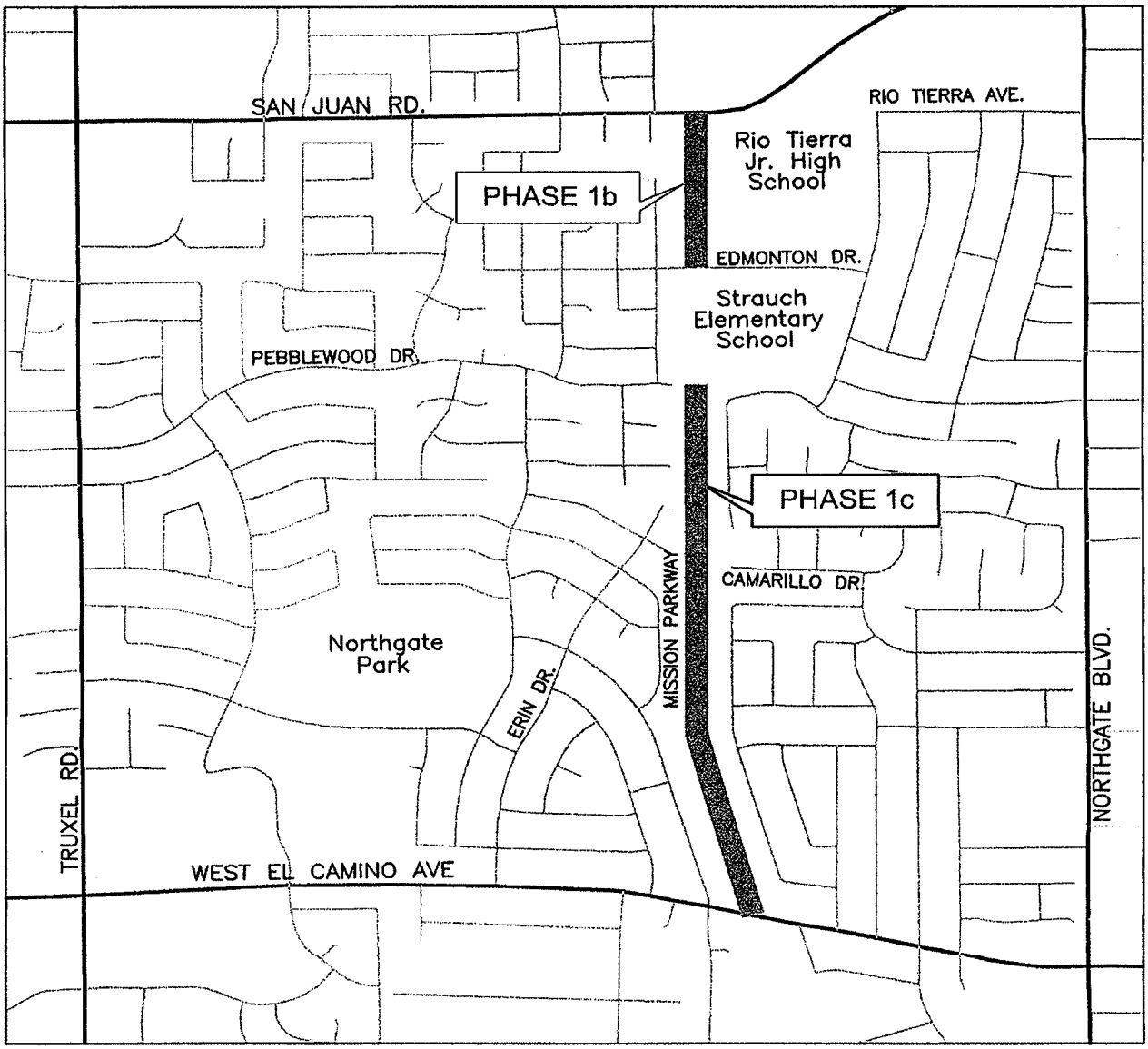
Exhibit A: Map of the Ninos Parkway Bike Trail Phase 1B and Phase 1C Project (PN: HC61)

EXHIBIT A

Location map for:

NINOS PARKWAY BIKE TRAIL (PN: HC61)



Map Contact: Vlad Grechko
Date: August, 2007

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