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6094-053

DEPARTMENT OF
PUBLIC WORKS

ENGINEERING DIVISION

CITY OF SACRAMENTO
CALIFORNIA

927 TENTH STREET
ROOM 200
SACRAMENTO, CA
95814-2700

July 26, 1994

PH 916-264-7120
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CONSTRUCTION SECTION
640 BERGUT DRIVE
SUITE B
SACRAMENTO, CA
95814-0131

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City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: SUTTERVILLE ROAD OVERHEAD EARTHQUAKE RETROFIT (PN:TJ76) -
REJECT LOW BID, AWARD CONTRACT AND APPROPRIATE
\$230,000.00 FOR THE PROJECT

LOCATION AND COUNCIL DISTRICT: Sutterville Road Overpass over the Union
Pacific Railroad
District No. 5

RECOMMENDATION:

This report recommends that the City Council:

- Reject the bid from Zenith Construction, Inc. in the amount of \$172,204 as non-responsive.
- Accept the lowest responsive bid of \$199,288.25 and award the contract for the Sutterville Road Overhead Earthquake Retrofit (PN:TJ76) to Gary A. Cowan Construction.
- Adopt the attached resolution which appropriates \$230,000.00 in Federal and State funds to the project.

CONTACT PERSON: N. Dee Lewis, Supervising Engineer, 264-7923
Mark Willrett, Assistant Engineer, 264-5515

FOR COUNCIL MEETING OF: August 16, 1994



City Council
Sutterville Road Overhead Earthquake Retrofit (PN:TJ76) - Contract Award
August 2, 1994

SUMMARY:

This project will construct seismic (earthquake retrofit) modifications to the Sutterville Bridge structure over the Union Pacific Railroad. The project improvements will improve the safety of the existing structure. The Federal Disadvantaged Business Enterprise (DBE) program requirements included in the project will promote city-wide inclusiveness of our diverse population.

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

The California Legislature, in an emergency session called soon after the Loma Prieta earthquake in 1989, enacted the Seismic Safety Retrofit Program and allocated State funds to finance construction of bridge retrofit projects. A local component of this program provides assistance to cities and counties in funding bridge seismic retrofit projects on local streets and roads.

Under the program, Caltrans provides all project scoping and other design activities in coordination with City staff. The City is responsible for 100% of the non-eligible project costs but none of the seismic retrofit costs.

Per City Agreement #92-097 (attached) the City of Sacramento is responsible for advertising, awarding and administering the contract, and providing for construction engineering and inspection. Plans and specifications were prepared by a consultant, and were reviewed and supplemented by City staff.

Bids were received and opened by the City Clerk on June 8, 1994. The bids received were:

Zenith Construction, Inc.	\$172,204.00
Gary A. Cowan Construction	\$199,288.25

Note: There were no MBE/WBE bidders.

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August 2, 1994

Zenith Construction did not meet the DBE goals set for the project and did not submit documentation of Good Faith Effort. Gary A. Cowan Construction achieved the DBE goal with 23.9% DBE participation listed in the bid proposal. Staff recommends the City Council reject the bid from Zenith Construction, accept the bid of \$199,288.25 and award the contract to Gary A. Cowan Construction. Caltrans has reviewed this matter and concurs with the recommendation to award the contract to Gary A. Cowan Construction.

A categorical exemption for the seismic retrofitting improvements to the Sutterville Overhead Bridge was approved by City Environmental Services on March 17, 1994.

The estimated project completion date is November 30, 1994.

FINANCIAL CONSIDERATIONS:

The engineer's estimated construction cost was \$158,000.00.

The estimated total project cost, including all planning, design and construction costs, is \$269,500.00. The current budget is \$102,500.00, which was approved in the 1992/93 Capital Improvement Program from the Gas Tax - CIP Fund (202). As of July 25, 1994, this project had a balance of \$86,052.00 which is sufficient to cover the City's responsibility for funding indirect, overhead and design coordination costs.

All costs incurred with the consultant for the design of the project have been administered by Caltrans. All funding for construction is to be paid for with State and Federal funds. State and Federal funding participation per City Agreement No. 92-097 is \$46,000.00 State and \$184,000.00 Federal. The attached Resolution will establish the revenue and expense budget for the State and Federal participation in this project.

POLICY CONSIDERATIONS:

The subject project promotes City Council priorities regarding neighborhood revitalization and enhancement and public safety.

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This action is consistent with Title 58, Sacramento City Code concerning rejection of bids, contract award and Resolution No. 93-619 relating to MBE/WBE participation goals.

MBE/WBE/DBE:

This project is partially funded with Federal Highway Administration (FHWA) funds. The FHWA acting through the State of California Department of Transportation (Caltrans) requires that the City set a Disadvantaged Business Enterprise (DBE) participation goal for construction projects funded wholly or in part by any Federal-Aid transportation monies. The DBE category includes both Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs). This project included a DBE participation goal of 20% as required by Resolution 94-130 relating to DEB participation goals and policies adopted by the City Council on March 8, 1994. Award of this project is contingent upon the responsive low bidder either meeting the project DBE participation goal or making adequate Good Faith Effort towards meeting the project.

There were 3 planholders for this project, none of which were MBEs or WBEs. Two bids were received for this project. No bids were received from MBE or WBE firms. The low bidder, Zenith construction, did not achieve the project DBE goals and did not submit documentation of Good Faith Effort. The second low bidder, Gary A. Cowan Construction, achieved the DBE goal with 23.9% DBE participation. Staff recommends the City Council reject the low bid and award the contract to the second low bidder, Gary A. Cowan Construction.

Plans and specifications were sent to seven (7) plan rooms and construction services organizations for publication and use by the construction industry of Northern

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August 2, 1994

California. There are four (4) organizations on the distribution list that are directly involved with outreach to MBE/WBE contractors.

Respectfully submitted,



TERENCE W. MOORE
Transportation and Engineering
Planning Manager

RECOMMENDATION APPROVED:



WILLIAM H. EDGAR
City Manager

APPROVED:



MICHAEL KASHIWAGI
Deputy Director of Public Works

FB:dt
EA8-26.1
07.2694.1

Attachment

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION APPROVING THE APPROPRIATION OF
\$230,000.00 TO THE SUTTERVILLE ROAD OVERHEAD
EARTHQUAKE RETROFIT PROJECT (PN:TJ76)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. The 1993/94 City Capital Improvement Program is hereby amended by the appropriation of \$184,000 in Federal Grant Funds (511) to the Sutterville Road Overhead Earthquake Retrofit Project (PN:TJ76) as follows:

Revenue - (511-500-TJ76-3513) Federal Grant Revenue is increased in an amount of \$184,000.00

Expenditure - (511-500-TJ76-4820) Building and Improvements is increased in an amount of \$184,000.00.

2. The 1993/94 Capital Improvement Program is hereby further amended by the appropriation of \$46,000.00 in state Grant Funds (512) to the Sutterville Road Overhead Earthquake Retrofit Project (PN:TJ76) as follows:

Revenue - (512-500-TJ76-3511) State Grant revenue increased in an amount of \$46,000.00.

Expenditure - (512-500-TJ76-4820) Building and Improvements is increased in an amount of \$46,000.00.

MAYOR

ATTEST:

CITY CLERK

EAB-28.1

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

PROGRAM SUPPLEMENT NO. 045
 to
 LOCAL AGENCY-STATE AGREEMENT
 FOR FEDERAL-AID PROJECTS NO. 03-5002

Date: April 27, 1992
 Location: 03-SAC-0-SAC
 Project Number: BRLZ-5002(001)
 E.A. Number: 03-450144

This Program Supplement is hereby incorporated into the Local Agency-State Agreement for Federal Aid which was entered into between the Local Agency and the State on 07/05/77 and is subject to all the terms and conditions thereof. This Program Supplement is adopted in accordance with Paragraph 2 of Article II of the aforementioned Master Agreement under authority of Resolution No. 92-460, approved by the Local Agency on 6-23-92 (See copy attached).

The Local Agency further stipulates that as a condition to payment of funds obligated to this project, it accepts and will comply with the covenants or remarks set forth on the following pages.

PROJECT TERMINI:
 SUTTERVILLE ROAD BR. NO. 24C-0300.

TYPE OF WORK: SEISMIC ERTROFIT LENGTH: 0.1 (MILES)

PROJECT CLASSIFICATION OR PHASE(S) OF WORK
 Preliminary Engineering Right-of-Way
 Construction Engineering Construction

Estimated Cost	Federal Funds		Matching Funds					
			Local	OTHER	STATE SEIS			
230,000	113	\$	184,000	0	\$	0	\$	46,000
		\$	0					

CITY OF SACRAMENTO

STATE OF CALIFORNIA
 Department of Transportation

By Walter J. Slye

By [Signature]
 LOCAL STREETS AND ROADS ENGINEER

Date 6-24-92

Date 6/26/92

Attest Patricia C. Burrows

Title CITY CLERK

I hereby Certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Don Stroup Date 4-28-92 \$ 230000.00

Chapter	Statutes	Item	Year	Program	BC	Fund Source	AMOUNT
18	1989	2660-628-056	89-90	20.30.010.310	c	224060 056-T	46000.00
118	1991	2660-101-890	91-92	20.30.010.310	c	224060 892-F	184000.00

City Agreement No. 92-097

City Agreement No. 92-097

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BRIDGE SEISMIC RETROFIT

TJ76

Location: Sutterville Road Overpass over the UPRR
Planning Area: Land Park

Council District: 5

Project Description

This project will provide seismic retrofitting to the bridge crossing the Union Pacific Railroad.

Project Objectives

- Increase safety of the existing structure.

Existing Situation

The existing structure does not currently meet Caltrans seismic guideline standards.

Alternatives

- No project.

Operating Budget Impact

None.

Project Costs

	Budget through 6/94	Unspent 6/94	-----Five Year Funding-----				
			1994/95	1995/96	1996/97	1997/98	1998/99
Capital Grants	0	0	230	0	0	0	0
Gas Tax	103	85	0	0	0	0	0
TOTAL	103	85	230	0	0	0	0

Phasing

To Date	1994/95	1995/96	1996/97	1997/98	1998/99
design/ construct	construct				