

RESOLUTION NO. 2013-0400

Adopted by the Sacramento City Council

December 10, 2013

APPROVING THE SUSPENSION OF COMPETITIVE BIDDING FOR THE ENTERTAINMENT AND SPORTS CENTER (ESC) PROJECT

BACKGROUND

- A. The Council approved the preliminary Term Sheet on March 26, 2013 that made Sacramento Basketball Holdings LLC (SBH) responsible for the planning, design, development, and construction of the ESC;
- B. Since the City will own the ESC once it is completed, the project is a public project and as such is subject to the City's competitive bidding requirements as set forth in Article XIV of the City Charter;
- C. The City Council may suspend the competitive bidding requirements with a two-thirds vote if that action is in the best interests of the City, as set forth in Article XIV of the City Charter and Section 3.60.170 of the City Code;
- D. Suspension of competitive bidding is in the best interests of the City because the project has an aggressive schedule with completion planned for October 2016;
- E. Furthermore, if the City was to utilize its competitive bidding process starting after Council makes its decision in April 2014, SBH and the City would not be able to meet the current construction schedule;
- F. The City should take advantage of the work done to date by the high-quality professionals that SBH has selected and has been working with since the summer of 2013; and
- G. An arena must be completed by 2017 or SBH and Sacramento are at risk of losing the Sacramento Kings to another jurisdiction and ownership group.

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

Section 1. The City Council finds and determines that it is in the best interest of the City to suspend competitive bidding for the ESC Project, and hereby suspends competitive bidding for the ESC Project.

Adopted by the City of Sacramento City Council on December 10, 2013 by the following vote:

Ayes: Members Ashby, Cohn, Hansen, Pannell, Schenirer, Warren and Mayor Johnson

Noes: Members Fong and McCarty

Abstain: None

Absent: None

Attest:

Digitally signed by Shirley A. Concolino
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Date: 2013.12.21 13:26:26 -08'00'



Shirley Concolino, City Clerk