

RESOLUTION NO.

2005-515

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: JUN 23 2005

A RESOLUTION FOR THE CONSTRUCTION OF THE EL CENTRO ROAD AND ARENA BOULEVARD TRAFFIC SIGNAL; APPROVAL OF PLANS AND SPECIFICATIONS; CREATION OF A CAPITAL IMPROVEMENT PROJECT; APPROPRIATION OF FUNDS; SUSPENSION OF COMPETITIVE BIDDING; APPROVAL OF PURCHASE AGREEMENT WITH NATOMAS GATEWAY LLC AND AWARD OF CONTRACT TO JIM PAXIN'S PACIFIC EXCAVATION

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

WHEREAS,

- A. The El Centro Road Traffic Signal ("Signal") is needed at this point in time.
- B. The Signal is a designated improvement of the North Natomas Financing Plan ("Plan") and is funded by the Plan.
- C. Pursuant to the Plan, the Signal can be constructed by a developer and paid with fee credits or be constructed by the City through contracts and paid with cash.
- D. In an effort to have the Signal built by a developer, Natomas Gateway contracted for design, incurred related expenses and issued and received bids for construction.
- E. The City and Natomas Gateway have been unable to reach an agreement that would allow Natomas Gateway to proceed with construction.
- F. The low bid received by Natomas Gateway was from Tim Paxin's Pacific Excavation in the amount of \$137,413.
- G. Costs incurred by Natomas Gateway total \$12,500.
- H. The bidding procedure was not under supervision of the City, requiring a suspension of competitive bidding as provided for in SCC 3.60.170 through a two-thirds vote of the City Council and a determination that it is in the best interests of the city to suspend competitive bidding.
- I. The City needs to purchase the design from Natomas Gateway and reimburse Natomas Gateway for appropriate and related expenses. This design, including all plans and specifications, has been reviewed and approved by City staff.

RESOLUTION NO. 2005-515

JUN 23 2005

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

1. City Council hereby finds that the recitals set forth above are true and correct and are incorporated herein by reference as findings.
2. The City Council determines that it is in the City's best interests to suspend competitive bidding for installation of a traffic signal at the intersection of Arena Boulevard and El Centro Road, based on the recitals set forth above, the report submitted by staff, and the following findings of fact:
 - a. Natomas Gateway, a developer in the vicinity of the intersection, was originally going to install the signal. To this end, Natomas Gateway solicited bids for the signal at this intersection plus a second signal at another intersection. Pacific Excavation submitted the lowest bid for the two signals: \$255,363. Of this amount, \$137,413 is attributable to the signal at Arena Boulevard and El Centro Road.
 - b. The City and Natomas Gateway have been unable to agree on the terms of an agreement by which the City would reimburse Natomas Gateway for the signals.
 - c. Because the area surrounding the intersection has been developing rapidly, vehicular traffic at the intersection has increased dramatically and will continue to do so. With the increase in traffic, an increase in vehicular accidents is inevitable. Accordingly, public safety requires that a traffic signal be installed at the intersection as soon as possible.
 - d. If the City is required to rebid the work competitively, then the signal will not be in operation until January 2006 at the earliest. That is well into the fog-and-rain season, when safety concerns are greatest and construction delays likely. If bidding is suspended, however, then the signal can be in operation by late September or early October 2005.
 - e. Pacific Excavation has the necessary materials for the signal on hold at a fixed price, can begin work immediately, and is willing to contract directly with the City for installation of the signal at the same price for which it was willing to install the signal for Natomas Gateway, \$137,413. In addition, Pacific Excavation is willing to comply with all of the City's requirements for public projects, such as those concerning payment of prevailing wages, as well as with the City's Small and Emerging Business Programs.
 - f. Were this project rebid and awarded to another contractor, the lead time for acquiring materials may be unacceptably long, given the need to install a signal as soon as possible. In addition, the cost of the materials may be higher.
3. The plans and specifications are hereby approved.
4. A contract for the construction of the traffic signal at the intersection of El Centro Road and Arena Boulevard is hereby awarded to Tim Paxin's Pacific Excavation in the amount of \$137,413.
5. The City Manager is hereby authorized to enter into a purchase contract with Natomas Gateway LLC. In the amount of \$12,500 for the purpose of acquiring the design for the signal and reimbursing Natomas Gateway for design and other appropriate and related expenses.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2005-515

DATE ADOPTED: JUN 28 2005

6. A Capital Improvement Project is hereby established for the El Centro Road and Arena Boulevard Traffic Signal (PN:SK66).
7. The City Manager is hereby authorized to appropriate \$154,913 in support of the project, including \$5,000 in staff support costs, from North Natomas Development Fees fund balance (780-710-7012-4999) to the project (780-500-SK66-4820).

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2005-515

DATE ADOPTED: JUN 28 2005