



REPORT TO COUNCIL

6

City of Sacramento

915 I Street, Sacramento, CA 95814-2604

www.CityofSacramento.org

Consent
January 3, 2008

Honorable Mayor and
Members of the City Council

Title: Ninos Parkway Bike Trail Project (PN: HC61, K15030100)

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 October 10, 2007 for the project; 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, Parks and Recreation

Division: Engineering Services, Park Planning and Development Services

Organization No: 3434

Description/Analysis

Issue: Ninos Parkway Phase 1B is funded by a State grant with federal pass-through dollars administered by the State Department of Parks and Recreation. The bid package did not comply with federal bidding requirements, and must be rebid to ensure the reimbursement of project costs through the State grant.

Policy Considerations: This project is consistent with and supports the City's Strategic Goals to improve and expand public safety and achieve sustainability and livability.

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 Plans, (PN: LS78).

Ninos Parkway Phase 1B is funded with Federal Highway Administration (FHWA) funds. As a result, it is also subject to the National Environmental Policy Act (NEPA). In September 7, 2007, the State issued a Categorical Exclusion for the project pursuant to the requirements of NEPA.

Rationale for Recommendation: The State Grant Agreement for Ninos Parkway Phase 1B is not explicit and the State Department of Parks and Recreation is not certain whether local bidding requirements may be used when federal funds are involved. The \$150,000 State grant is funded with federal pass-through dollars from the Federal Highway Administration. It is in the City's best interest to rebid the project meeting the federal bidding requirements to ensure reimbursement of project costs.

Financial Considerations: As of October 10, 2007, the Ninos Parkway Bike Trail Phase 1B and Phase 1C Project (PN: HC61, K15030100) has an unobligated balance of \$509,936.

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

Respectfully Submitted by: J.P. Tindell
J.P. Tindell
Park Planning and Development Manager

Respectfully Submitted by: Nicholas Theocharides
Nicholas Theocharides
Engineering Services Manager

Approved by: Karen Shipley
for Jerry Way
Director of Transportation

Recommendation Approved:

Ray Kerridge
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 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.

The project was advertised and bids were received on July 25, 2007. The apparent low bidder was deemed non-responsive for its failure to submit documentation of its ESBE certification. The apparent low bidder was certified as an ESBE and filed a bid protest. On September 18, 2007, City Council rejected all bids received without deciding the bid protest and approved re-advertising the project.

The project was re-advertised and bids were received on October 10, 2007. The bids are summarized below:

Contractor	Bid Amount	ESBE Participation Goal 20%
Biundo Landscaping Construction	\$347,504.00	65.8%
Martin Brothers Construction	\$352,259.00	20.7%
Granite Construction Company	\$355,986.50	20.4%
C&C Construction Inc.	\$358,143.50	27.4%
Gold Valley Construction, Inc.	\$363,208.50	72.8%
K & L General Engineering	\$365,739.20	97.5%
De Silver Gates	\$391,975.00	22.7%
Biondi Paving, Inc.	\$439,103.75	89.9%
Teichert Construction	\$460,741.50	24.6%
J.A. Gonsalves & Son Construction	\$478,166.00	100%

Phase 1B is funded with a grant administrated by the State Department of Parks and Recreation utilizing Federal Highway Administration (FHWA) funds in the amount of \$150,000. Phase 1C is funded with the State Bicycle Transportation Account in the amount of \$335,000.

At the time of award, the Department of Transportation discovered that the State Grant contained federal pass-through dollars. The State Grant Agreement for Ninos Parkway Phase 1B is not explicit and the State Department of Parks and Recreation is not certain whether local bidding requirements may be used when federal funds are involved. The \$150,000 State grant is funded with federal pass-through dollars from the Federal Highway Administration. It is in the City's best interest to rebid the project meeting the federal bidding requirements to ensure reimbursement of project costs.

The project will be rebid and construction is anticipated to begin in spring 2008 and will be completed in summer 2008.

Attachment 2

RESOLUTION NO.

Adopted by the Sacramento City Council

**REJECT BIDS FOR THE NINOS PARKWAY BIKE TRAIL PROJECT
(PN: HC61, K15030100)**

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.

Phase 1B is funded with the Federal Highway Administration (FHWA) funds administrated through State Department of Parks and Recreation, Recreational Trails Program in the amount of \$150,000. Phase 1C is funded with the State Bicycle Transportation Account in the amount of \$335,000.

- B. The project was advertised and bids were received on July 25, 2007. The apparent low bidder was deemed non-responsive for its failure to submit documentation of its ESBE certification. The apparent low bidder was certified as an ESBE and filed a bid protest. On September 18, 2007, City Council rejected all bids received without deciding the bid protest and approved re-advertising the project.
- C. The project was re-advertised and bids were received on October 10, 2007. The bids are summarized below:

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- D. Phase 1B is funded with FHWA funds necessitating compliance with federal bidding requirements. Staff recommends rejecting bids and re-advertising the project using federal bidding compliance requirements to ensure cost reimbursement to the City.
- E. Staff recommends rejecting bids and re-advertising the project using federal bidding compliance requirements.

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

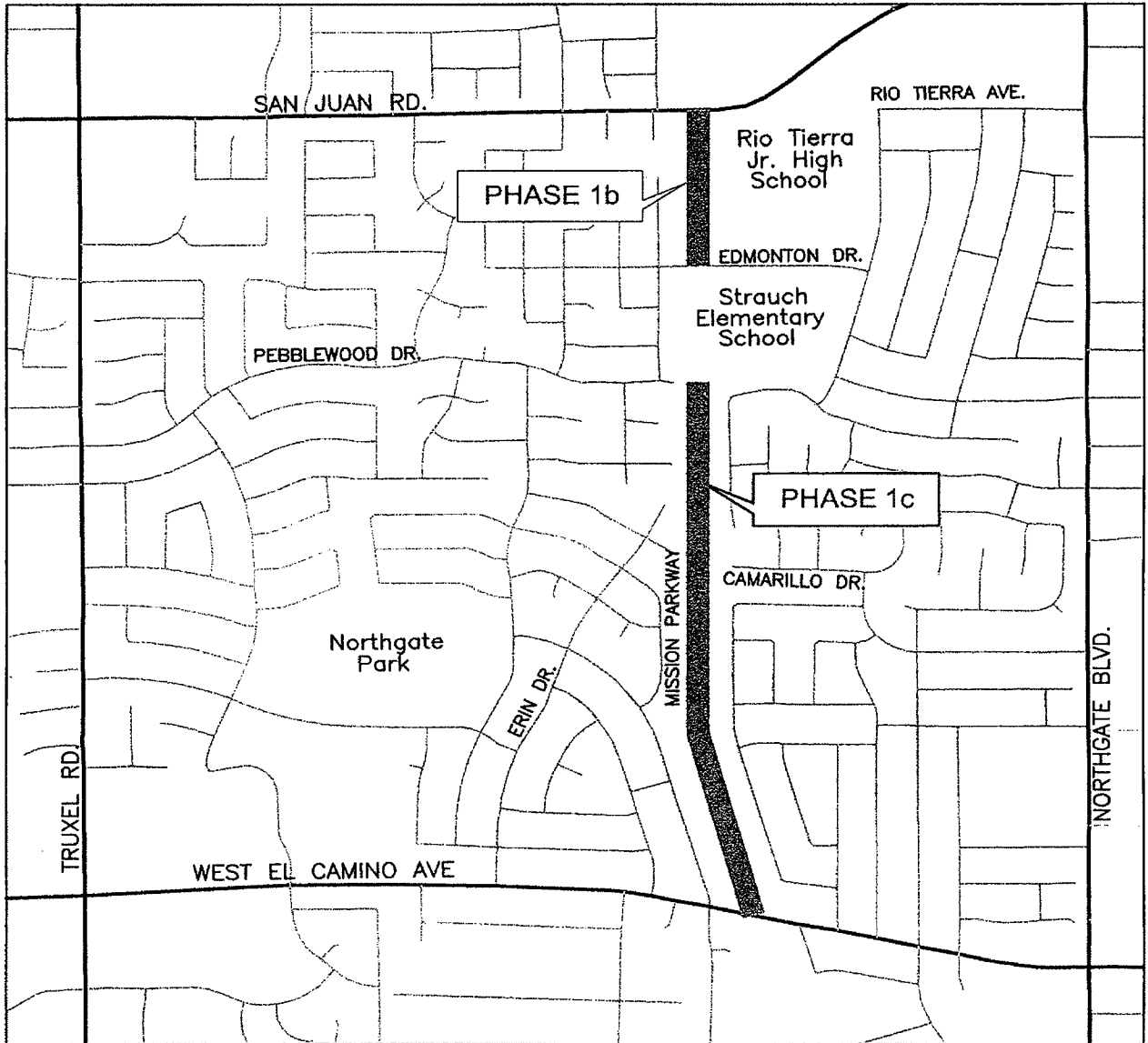
Section 1. The bids received on October 10, 2007 for the Ninos Parkway Bike Trail Phase 1B and Phase 1C Project (PN: HC61, K15030100) are rejected and the project shall be re-advertised.

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Exhibit A: Map of the Ninos Parkway Bike Trail Phase 1B and Phase 1C Project (PN: HC61, K15030100)

EXHIBIT A

Location map for:
NINOS PARKWAY BIKE TRAIL (PN: HC61)



Map Contact: Vlad Grechko
Date: August, 2007

