



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

CONSENT
October 19, 2010

Honorable Mayor and
Members of the City Council

Title: Contract: Sierra 2 Community Center Project - Phase III (C13001302)

Location/Council District: 2791 24th Street / Council District 5

Recommendation: Adopt a **Resolution:** 1) approving the construction plans and specifications and awarding a construction contract to P.B.M. Construction, the lowest responsive and responsible bidder, in an amount not to exceed \$325,325 for the Sierra 2 Community Center Project - Phase III; and 2) authorizing the City Manager or the City Manager's designee to execute the contract specified above.

Contacts: Kevin Love, Program Manager, 808-5592; Yadi Kavakebi, Facilities & Real Property Superintendent, 808-8432

Presenter: Not applicable

Department: General Services

Division: Facilities and Real Property Management

Organization No: 13001541

Description/Analysis

Issue: This report recommends awarding a construction contract for the Phase III project improvements which include a new Americans with Disabilities Act (ADA) compliant public restroom and drinking fountains in the Curtis Hall building at the Sierra 2 Community Center. The formal bid process was completed on September 15, 2010 and P.B.M. Construction was selected as the lowest responsive and responsible bidder.

Policy Considerations: The recommendations in this report are consistent with: 1) the provisions of City Code Chapter 3.60; 2) the Preservation Element of the City of Sacramento General Plan that seeks to protect and encourage the preservation of Sacramento's historic resources and ensure that the cultural heritage of Sacramento remains intact.; and 3) Resolution 2010-346 prohibiting

the City from entering into any contract to purchase goods or services from any business or entity headquartered in Arizona .

Commission/Committee Action: On August 16, 2005, the City Council adopted Ordinance Number 2005-064 designating the Sierra 2 Community Center as a Landmark and adding it to the Sacramento Register of Historic and Cultural Resources (Register). The Curtis Hall building, where the proposed work is to take place, is considered a “non-contributing” (not historic) building on the site of the Sierra 2 Landmark structure.

Environmental Considerations:

California Environmental Quality Act (CEQA): The City has designated the Sierra 2 Community Center as a historic Landmark and has adopted the Secretary of the Interior’s Standards for the Treatment of Historic Properties as its standard for review of preservation development projects. The Curtis Hall structure is a non-contributing structure on the site of the Sierra 2 Landmark property. Work on the site of all Landmark properties is reviewed per the Historic Preservation Chapter of the City Code (Chapter 17.134) for compliance with the City’s adopted preservation standards. Compliance with these standards is also recognized in the CEQA guidelines as a condition to allow a project’s exemption, barring no other elements of the environment are affected by the work.

The Sierra 2 Community Center Project - Phase III was reviewed by City Preservation staff who determined that the Phase III proposed remodel work is consistent with the standards described above and the project is exempt from CEQA per Sections 15301, Minor Alterations to Existing Facilities, and 15331, Historic Restoration/Rehabilitation, of the CEQA guidelines.

Sustainability Considerations: Not applicable

Rationale for Recommendation: On August 10, 2010, the Department of General Services issued Invitation for Bid (IFB) No. B1113001541003 for a construction contract for the Sierra 2 Community Center Project - Phase III. Eight bids were received on September 15, 2010. Five bidders were determined to be non-responsive and rejected. Reasons for a non-responsive bid determination include one or more of the following:

- Failure to meet ESBE goal
- Failure to submit and/or execute all required documents
- Failure to acknowledge addendum
- Failure to submit a complete bid guarantee
- Failure to provide an active contractor’s license
- Failure to attend mandatory pre-bid meeting

- Bidder added language that changed the terms of the bid
- Failed Minimum Qualifications Questionnaire
- Failed to list all required subcontractors

P.B.M. Construction was selected as the lowest responsive and responsible bidder. Staff's estimated construction cost was \$430,508. Work is anticipated to begin on site in early November 2010 with completion in early March 2011.

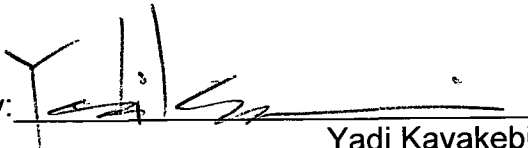
The results of IFB No.B1113001541003 are listed in the table below.

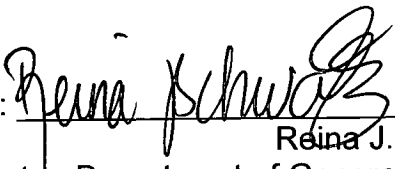
Company Name	Contract Amount	ESBE %
Champas Construction*	\$279,800	39.0%
P.B.M. Construction	\$325,325	22.4%
Melnikov Construction*	\$333,000	93.5%
Treehenge	\$340,000	87.0%
American River Construction*	\$364,000	57.7%
Abide Builders*	\$385,900	73.6%
Riverview Construction	\$410,000	85.4%
Refnes Construction*	\$421,549	62.8%

*Non-Responsive

Financial Considerations: Sufficient funding is available in the General Fund (Fund 1001) within the Sierra 2 Community Center Project - Phase III capital improvement project (C13001302) to execute a construction contract with P.B.M. Construction in an amount not to exceed \$325,325.

Emerging Small Business Development: P.B.M. Construction has an emerging/small business enterprise percentage total of 22.4% for the Sierra 2 Community Center Project - Phase III.


Respectfully Submitted by: 
 Yadi Kavakebi
 Facilities Superintendent

Approved by: 
 Reina J. Schwartz
 Director, Department of General Services

Recommendation Approved:



Gus Vina
Interim City Manager

APPROVED AS TO FORM:


CITY ATTORNEY

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Attachment 1

Background

On May 30, 2006, City Council adopted Resolution No. 2006-379, awarding a contract for design and construction of various ADA upgrades at the Sierra 2 Community Center. The work was to be done in three phases as follows:

- Phase I - Upgraded disabled parking, paths of travel and accessibility signage, accessible entryways and doorways, and reconstruction of interior ramps, exterior front entry stairs, landing and ramp.
- Phase II - Construction work in the main building which included design and construction of a new ADA compliant and accessible public restroom, restoration of outside stair tiled treads and railings in front of the 24th Street Theater, construction of ADA wheelchair lifts, and upgraded mechanical and electrical systems.
- Phase III - Design and construction documents for a new ADA compliant public restroom and drinking fountains in the Curtis Hall building.

This design work has been completed and Phase III is now ready for construction.

In accordance with the Historic Preservation Chapter, Chapter 17.134 of the City Code, City Preservation staff have reviewed and recommended approval of the proposed work.

Staff believes there may be uncertainties associated with the Phase III construction, primarily due to concealed conditions within the aging Curtis Hall building. The hazardous material testing report shows the presence of asbestos and lead materials in some of the existing building materials. The Invitation for Bid for the Phase III construction project requires bidders to include an allowance of \$10,000 in their bids to address the risk of finding hazardous materials during the course of construction, and requires the contractor to whom the project is awarded to be responsible for remediation. However, risk of potential impact to the construction schedule still exists.

The Sierra Curtis Neighborhood Association, which operates the Curtis Hall building at the Sierra 2 Community Center, has rental commitments for events starting February 1, 2011. As such, a liquidated damage clause of \$2,200 per calendar day was included in the bid, and will be included in the construction contract documents, for completion beyond January 24, 2011.

RESOLUTION NO. 2010-XXXX

Adopted by the Sacramento City Council

October 19, 2010

**AWARD CONSTRUCTION CONTRACT FOR THE SIERRA 2 COMMUNITY CENTER
PROJECT - PHASE III (C13001302)**

BACKGROUND

- A. On May 30, 2006, City Council adopted Resolution No. 2006-379, awarding a contract for design and construction of various Americans with Disabilities Act (ADA) upgrades at the Sierra 2 Community Center. The work was to be done in three phases, with Phase III being the design and construction document work for a new ADA compliant public restroom and drinking fountains in the Curtis Hall building. Phase III design is complete and is ready for construction.
- B. The formal bid process for the Sierra 2 Community Center Project - Phase III was completed on September 15, 2010. Pursuant to the provisions of City Code Section 3.60, it was determined that P.B.M. Construction was the lowest responsive and responsible bidder.

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

- Section 1. The construction plans and specifications for the Sierra 2 Community Center Project - Phase III are approved and the construction contract is awarded to P.B.M. Construction, the lowest responsive and responsible bidder, in an amount not to exceed \$325,325.
- Section 2. The City Manager or the City Manager's designee is authorized to execute the contract specified above.