

RESOLUTION NO. 2007-776

Adopted by the Sacramento City Council

October 30, 2007

SUNRISE SIDE CHANNEL PROJECT

BACKGROUND

- A. The State of California funds the California River Parkways Grant Program under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50).
- B. On October 31, 2006, the Sacramento City Council adopted Resolution No. 2006-797 authorizing the City County Office of Metropolitan Water Planning (CCOMWP) to apply for grant funding from the California River Parkways Grant Program for the Sunrise Side Channel Project on the American River (the "Project"). The Project will protect steelhead redds in the project area from drying up during river fluctuations, and will enhance the production of wild spawning steelhead in the lower American River and interpretive facilities in the American River Parkway.
- C. This grant funding has been awarded, in the amount of \$510,035, subject to execution of the Grant Funding Agreement.
- D. In 2004, the Sacramento Area Flood Control Agency (SAFCA), acting as lead agency on behalf of the Lower American River Task Force, sent out a request for proposals (RFP) for the Project. In September 2004, following a rigorous evaluation and interview process spearheaded by SAFCA with participation from the CCOMWP on behalf of the Water Forum, the project team of Philip Williams & Associates, EDAW and Sierra View Landscape, Inc. dba Restoration Resources was selected as the best qualified team to provide the services necessary to implement the project (technical studies and specifications, environmental review, and project construction). However, the agencies were subsequently notified that the anticipated federal funding for the Project was not available.
- E. Since then, the CCOMWP, on behalf of the Water Forum, took over the lead on the Project and began seeking funding from other sources, resulting in the \$510,035 grant from the California River Parkways Grant Program.
- F. Because the construction portion of the Project was not separately bid in

accordance with the City's standard construction contract procedures, it is necessary to suspend competitive bidding to execute the contract with Sierra View Landscape, Inc. dba Restoration Resources for this portion of the work. It is in the City's best interests to suspend competitive bidding for this work because (1) the Project team selected as the best qualified to provide the services necessary to implement the project through the prior RFP process includes Sierra View Landscape, Inc. dba Restoration Resources for performance of the construction portion of the project, (2) Sierra View Landscape, Inc. dba Restoration Resources possesses the expertise and experience necessary to successfully perform this type of specialized restoration work, and (3) since the RFP process was concluded, this Project team has continued to participate in preliminary Project activities while alternative grant funding was secured.

- G. Awarding contracts to the Project team for performance of the Project does not require any funding from the City's general fund.

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

Section 1. The CCOMWP Director is authorized to execute a Grant Funding Agreement with the State of California Resources Agency for the Sunrise Side Channel project, in the amount of \$510,035.

Section 2. The CCOMWP's FY2007-08 Revenue and Expense Budgets shall be augmented as follows:

<u>Revenue:</u>	514-OGR-G722-3511	\$510,035
<u>Expenditures:</u>	514-OGR-G722-4258	\$510,035

Section 3. The City Manager is authorized to execute a Professional Services Agreement with Philip Williams & Associates for technical work in support of the Project, for an amount not to exceed \$117,473.

Section 4. In the best interests of the City, competitive bidding is suspended for the construction portion of the Project, and the City Manager is to execute a contract with Sierra View Landscape, Inc. dba Restoration Resources for this work, for an amount not to exceed \$330,250.

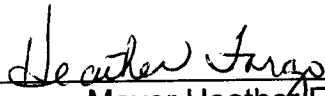
Adopted by the City of Sacramento City Council on October 30, 2007 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: None.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk