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DEPARTMENT OF
PUBLIC WORKS

CITY OF SACRAMENTO
CALIFORNIA

927 10TH STREET
SACRAMENTO, CA
95814-2702

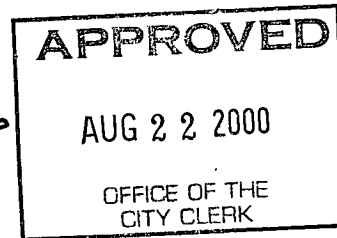
TECHNICAL SERVICES
DIVISION

PH 916-264-8300
FAX 916-264-8281

August 3, 2000

City Council
Sacramento, California

CO2000-136



Honorable Members in Session:

SUBJECT: APPROVAL OF PLANS AND SPECIFICATIONS, ACCEPTANCE OF BID AND CONTRACT AWARD FOR FERNANDEZ DRIVE RECONSTRUCTION (PN: RH03) IN THE AMOUNT OF \$421,466, APPROVAL OF INTER-FUND LOAN AND APPROPRIATION OF FUNDS IN THE AMOUNT OF \$400,000

LOCATION AND COUNCIL DISTRICT:

Council District 5.

Fernandez Drive between 26th Street to 375 feet east of 24th Avenue, and streets bounded by Fernandez Drive, 40th Avenue, and 24th Street.

RECOMMENDATION:

This report recommends that the City Council approve the attached resolution:

- Approving plans and specifications;
- Accepting the bid of Azteca Construction, Inc. in the amount of \$421,466;
- Authorizing the City Manager to execute a contract for the Fernandez Drive Reconstruction Project (PN:RH03); and
- Approve an inter-fund loan to the Fernandez Drive Reconstruction project (PN:RH03) of up to \$400,000 from the Department of Utilities' Storm Drainage Fund 425, and appropriate these funds to the project.

CONTACT PERSON: Zuhair Amawi, Junior Engineer, 264-7620

FOR COUNCIL MEETING OF: August 22, 2000

City Council
Approve Plans and Specifications and Award –
Fernandez Drive Reconstruction (RH03)
August 3, 2000

SUMMARY:

This project will reconstruct street pavement on the following streets:

- Fernandez Drive between 26th Street and approximately 375 feet east of 24th Avenue.
- 26th Street between Fernandez Drive and 40th Avenue.
- 40th Avenue between 24th Street and 26th Street.

The project also includes overlaying the following streets:

- 36th Avenue between 37th Avenue and 24th Street.
- 37th Avenue, and 38th Avenue between Fernandez Drive and 24th Street.
- Fernandez Drive, 39th Avenue, and Edna Street between 26th Street and 24th Street.
- CUL- DE - SAC located at the north west corner of Fernandez Drive.

COMMITTEE/COMMISSION ACTION:

None.

BACKGROUND INFORMATION:

- This project was authorized in the 1999/2000 Capital Improvement Program after the Street was significantly damaged during another City project.
- This project was advertised and bids were received on August 2, 2000 and are summarized below:

Contractor	Bid Amount	ESBE Participation Goal 20%
Azteca Construction, Inc.	\$421,466	30.53%
Biondi Paving, Inc.	\$428,507	80.90%

- The engineer's estimated construction cost was \$510,000.
- Approval of the plans and specifications and award to Azteca Construction, Inc. is recommended.

FINANCIAL CONSIDERATIONS:

- The estimated project cost is \$520,000.
- The unobligated project fund balance as of August 7, 2000 is \$110,175, which is insufficient to award the construction contract.

City Council
Approve Plans and Specifications and Award –
Fernandez Drive Reconstruction (RH03)
August 3, 2000

- Additional Gas Tax funding is currently unavailable and although the project qualifies for Measure A Construction funding, it is not currently included in the 2000/01 Measure A Expenditure plan. It is proposed that an inter-fund loan up to \$400,000 be made from the Department of Utilities' Storm Drainage Fund 425 to complete the project. The loan will be payable in full in twelve months from the award of the construction contract and accrue interest at a rate equal to the City's Pool A rate of return for the term of the loan. The loan will be repaid with 2001/02 Measure A Construction funds when the project can be included in the Measure A Expenditure Plan as an eligible reconstruction expenditure.

ENVIRONMENTAL CONSIDERATIONS:

In accordance with the State Guidelines for implementation of the California Environmental Quality Act (CEQA) of 1970, the Planning Services Division, Environmental Section, has reviewed the proposed project. This review has resulted in the determination that the proposed project will not have a significant adverse impact on the environment and a Categorical Exemption was prepared.

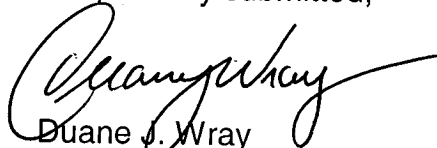
POLICY CONSIDERATIONS:

Award of this contract is consistent with Title 58 of the Sacramento City Code.

ESBD CONSIDERATIONS:

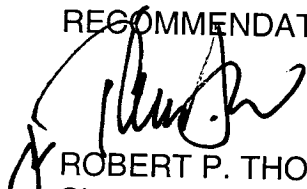
To encourage small and emerging business participation, plans and specifications were sent to 8 plan rooms and construction service organizations for publication. All are directly involved with ESBE construction firms. Staff actively recruited available ESBE firms to participate in the bid process. Project notices were sent to 30 organizations involved in ESBE recruitment. The project was also announced on the Project Information Line and on the City's Internet site at www.cityofsacramento.org/bids.

Respectfully submitted,



Duane J. Wray
Technical Services Manager

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
City Manager

P/Active/RH03-Fernandez Reconstruction/Council/Contract Award

Approved:



Michael Kashiwagi
Director of Public Works

APPROVED
 AUG 22 2000
 OFFICE OF THE
 CITY CLERK

RESOLUTION NO. 2000-495

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND
 CONTRACT AWARD TO AZTECA CONSTRUCTION, INC.
 IN THE AMOUNT OF \$421,466, AND APPROVING INTER-FUND LOAN AND
 APPROPRIATION OF FUNDS TO THE FERNANDEZ DRIVE
 RECONSTRUCTION (PN:RH03) IN THE AMOUNT OF \$400,000**

WHEREAS, the Fernandez Drive reconstruction project is regarded as a priority; and

WHEREAS, additional Gas Tax funding is currently unavailable, and Measure A funding is currently unavailable until FY 2001/02.

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

1. The plans and specifications for the Fernandez Drive Reconstruction project (PN:RH03) are approved, and the contract be awarded to Azteca Construction, Inc. in the amount of \$421,466.
2. The Department of Utilities' Storm Drainage Fund will provide the Measure A Construction Fund with an inter-fund loan of up to \$400,000. The loan will be payable in full twelve months from the date of award of the Fernandez Drive Reconstruction contract and accrue interest at a rate equal to the City's Pool A rate of return for the term of the loan. The loan will be repaid with 2001/02 Measure A Construction funds when the project can be included in the Measure A Expenditure Plan as an eligible reconstruction expenditure.
3. The budget for the Fernandez Drive Reconstruction project (PN:RH03) is amended as follows:

Increase the project revenue budget for loan proceeds:

<u>Fund</u>	<u>Agency</u>	<u>Org</u>	<u>Object</u>	<u>Current Budget</u>	<u>Revised Budget</u>	<u>Increase (Decrease)</u>	<u>Accounting Reference</u>
201	500	RH03	3770	\$0	\$400,000	\$400,000	A

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

City Council
Approve Plans and Specifications and Award –
Fernandez Drive Reconstruction (RH03)
August 3, 2000

Increase project expenditure appropriations:

<u>Fund</u>	<u>Agency</u>	<u>Org</u>	<u>Object</u>	<u>Current</u> <u>Budget</u>	<u>Revised</u> <u>Budget</u>	<u>Increase</u> <u>(Decrease)</u>	<u>Accounting</u> <u>Reference</u>
201	500	RH03	4820	\$120,000	\$520,000	\$400,000	B

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

FILED

REVISED

AUG 02 2000

TO THE HONORABLE CITY COUNCIL
 SACRAMENTO, CALIFORNIA:

By The
 Office of The City Clerk

In compliance with the Contract Documents, the undersigned hereby proposes to furnish all required labor, materials, supervision, transportation, equipment, services, taxes and incidentals required for:

**FERNANDEZ DRIVE RECONSTRUCTION
 (PN: RH03)**

REJECTED
AUG 22 2000
 OFFICE OF THE
 CITY CLERK

in the City and County of Sacramento, California.

The Work is to be done in strict conformity with the Contract Documents now on file in the Office of the City Clerk, for the following sum:

**BASE BID
 (Reconstruction)**

Item No.	Item	Estimated Quantity	Unit	Unit Price	Total
1	Preconstruction Photographs	1	LS	\$ <u>700</u>	\$ <u>700</u>
2	Roadway Excavation and Grading (F)	3267	CY	\$ <u>15.10</u>	\$ <u>49,331.70</u>
3	Asphalt Concrete Pavement to Place	9800	SY	\$ <u>13.65</u>	\$ <u>133,770.00</u>
4	Unsuitable Material to Remove and Replace	2000	TON	\$ <u>18.00</u>	\$ <u>36,000</u>
5	Geogrid Material to Place	2950	SY	\$ <u>4.80</u>	\$ <u>14,160</u>
6	Install Streetlight Conduit Lateral	11	EA	\$ <u>1600</u>	\$ <u>17,600</u>
7	Asphalt Concrete Undulation to Remove and Replace	96	LF	\$ <u>35</u>	\$ <u>3,360</u>
8	Thermoplastic Traffic Stripes and Pavement Markings	1	LS	\$ <u>3,600</u>	\$ <u>3,600</u>
9	Maintenance Hole to Raise	11	EA	\$ <u>265</u>	\$ <u>2,915</u>
10	Curb and Gutter to Remove and Replace	500	LF	\$ <u>33.75</u>	\$ <u>16,875</u>
11	Sidewalk, 3 1/2" thick PCC, to Remove and Replace	1500	SF	\$ <u>6.95</u>	\$ <u>10,425</u>

CONTRACTOR NAME: BIONDI PAVING, INC.

BASE BID TOTAL \$ 288,736.70

REJECTED
AUG 22 2000
 OFFICE OF THE
 CITY CLERK

FILED

REVISED

**ALTERNATE BID
 (Overlay)**

AUG 02 2000

By The
 Office of The City Clerk

Item No.	Item	Estimated Quantity	Unit	Unit Price	Total
1	Asphalt Concrete Undulation to Remove and Replace	48	LF	\$ <u>35</u>	\$ <u>1,680</u>
2	Thermoplastic Traffic Stripes and Pavement Markings	1	LS	\$ <u>2,175</u>	\$ <u>2,175</u>
3	Maintenance Hole to Raise	4	EA	\$ <u>480</u>	\$ <u>1,920</u>
4	Maintenance Hole to Lower	4	EA	\$ <u>520</u>	\$ <u>2,080</u>
5	Install 6' x 6' Detector Loop	4	EA	\$ <u>650</u>	\$ <u>2,600</u>
6	Install Type B Detector Handhole	2	EA	\$ <u>235</u>	\$ <u>470</u>
7	Install 1-1/2" Conduit	60	EA	\$ <u>325</u>	\$ <u>19,500</u>
8	Install No. 5 Pull Box	1	EA	\$ <u>350</u>	\$ <u>350</u>
9	Install No. 6 Pull Box	1	EA	\$ <u>465</u>	\$ <u>465</u>
10	Pavement Keycutting	12656	LF	\$ <u>0.95</u>	\$ <u>12,023.20</u>
11	Planed Pavement Conforms	374	SY	\$ <u>13.00</u>	\$ <u>4,862</u>
12	Pavement Reinforcing Fabric to Place	16678	SY	\$ <u>1.10</u>	\$ <u>18,345.80</u>
13	Asphalt Concrete Overlay to Place	16678	SY	\$ <u>4.35</u>	\$ <u>72,549.30</u>
14	Water Valve Box to Lower	1	EA	\$ <u>375</u>	\$ <u>375</u>
15	Water Valve Box to Raise	1	EA	\$ <u>375</u>	\$ <u>375</u>

CONTRACTOR NAME: BIONDI PAVING, INC ALTERNATE BID TOTAL \$ 139,770.30

In order to be considered a responsible bidder, the bidder must bid on both Base Bid and Alternate Bid.

The Engineer order of preference is as follows:

1. Base Bid
2. Alternate Bid, if funds are available

In addition, the City Council, at its discretion, reserves the right to award the contract to the lowest bidder, based on one of the following bids:

Base Bid TOTAL \$ 288,736.70
 Base Bid plus Alternate Bid TOTAL \$ 428,507.00

REVISED

AUG 02 2000

If awarded the Agreement, the undersigned agrees to sign said Agreement and furnish the necessary surety bonds and insurance certificates within five (5) days of notification of award recommendation. Further, after receipt of the Notice to Proceed by the City the undersigned agrees to begin work the day following contract award by the City Council.

By The
City Clerk

It is understood that this Bid Proposal is based upon completion of the Work within a period of **THIRTY-SEVEN (37) WORKING DAYS, commencing on August 16, 2000**, as set forth in the written Notice to Proceed issued by the City to the Contractor. The Contractor shall refer to Section 1.2 Completion Time of the Special Provisions for calculation of the completion date.

In determining the amount bid by each bidder, the City shall disregard mathematical errors in addition, subtraction, multiplication, and division that appear obvious on the face of the Proposal. When such a mathematical error appears on the face of the Proposal, the City shall have the right to correct such error and to compute the total amount bid by said bidder on the basis of the corrected figure or figures.

When an item price is required to be set forth in the Proposal, and the total for the item set forth separately does not agree with a figure which is derived by multiplying the item price times the Engineer's estimate of the quantity of work to be performed for said item, the item price shall prevail over the sum set forth as the total for the item unless, in the sole discretion of the City, such a procedure would be inconsistent with the policy of the bidding procedure. The total paid for each such item of work shall be based upon the item price and not the total price. Should the Proposal contain only total price for the item and the item price is omitted, the City shall determine the item price by dividing the total price for the item by the Engineer's estimate of the estimated quantities of work to be performed as items of work.

If the Proposal contains neither the item price nor the total price for the item, then it shall be deemed incomplete and the Proposal shall be disregarded.

The undersigned has examined the location of the proposed Work, the local conditions at the place where the Work is to be done, is familiar with the Contract Documents and is familiar and expressly agrees to the liquidated damages provision of the Contract Documents.

The undersigned has checked carefully all of the foregoing figures and understands that the City of Sacramento will not be responsible for any errors or omissions on the part of the undersigned in making up this Bid Proposal.

Enclosed is Bid Proposal Guarantee, as required, consisting of a bidder's bond or other acceptable security for not less than ten percent (10%) of the amount Bid Proposal.

The undersigned agrees that all addenda received and acknowledged herein shall become a part of and be included in this Bid Proposal. This Bid Proposal includes the following addenda:

Add. #	<u>1</u>	DATE	<u>7-27-00</u>
Add. #	_____	DATE	_____
Add. #	_____	DATE	_____

REVISED

NOTE: State whether your concern is a corporation, a co-partnership, private individual, or individuals doing business under a firm name.

CORPORATION

If the Bidder is a corporation, the Bid Proposal must be executed in the name of the corporation and must be signed by a duly authorized officer of the corporation.

If the Bidder is a partnership, the Bid Proposal must be executed in the name of the partnership and one of the partners must subscribe their signature thereto as the authorized representative of the partnership.

FILED

AMOUNT OF BID PROPOSAL GUARANTEE ENCLOSED:

AUG 02 2000

(\$ 10%) not less than ten percent (10%) of amount Bid Proposal By The Office of The City Clerk

- CERTIFIED CHECK
- CASHIER'S CHECK
- BID BOND
- MONEY ORDER
- OTHER SECURITY

CONTRACTOR: BIONDI PAVING, INC

By [Signature]
(Signature)

STEVE BIONDI

(Print or Type)

Title: PRESIDENT
 Address: 8150 37TH AVENUE
SACRAMENTO CA 95824
 Telephone No. 916.383.5982
 Fax No. 916.383.3077
 Date 8-2-00

Contractor's License No. 505422 Type A, B, C-12, HIC, HAZ

Expiration Date 2-28-2002

Tax I.D. Nos.- Fed. 600402221 State 34223495

City of Sacramento Business Operation Tax Certificate No. 75131
(City will not award contract if Certificate Number is missing.)

DRUG-FREE WORKPLACE POLICY AND AFFIDAVIT

BID PROPOSAL MAY BE DECLARED NONRESPONSIVE IF THIS FORM (COMPLETED) IS NOT ATTACHED.
Pursuant to City Council Resolution CC90-498 dated 6/26/90 the following is required.

The undersigned contractor certifies that it and all subcontractors performing under this Agreement will provide a drug-free workplace by:

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AUG 02 2000
By The
Office of The City Clerk

1. Publishing a "Drug-Free Workplace" statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Establishing a Drug-Free Awareness Program to inform employees about:
 - a. The dangers of drug abuse in the workplace.
 - b. The contractor's policy of maintaining a drug-free workplace.
 - c. Any available drug counseling, rehabilitation, and employee assistance program.
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Notify employees that as a condition of employment under this Agreement, employees will be expected to:
 - a. Abide by the terms of the statement.
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace.
4. Making it a requirement that each employee to be engaged in the performance of the Agreement be given a copy on the "Drug-Free Workplace" statement.
5. Taking one of the following appropriate actions, within thirty (30) days of receiving notice from an employee or otherwise receiving such notice, that said employee has received a drug conviction for a violation occurring in the workplace:
 - a. Taking appropriate disciplinary action against such an employee, up to and including termination; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

* I certify that any person employed by this company, corporation, or business has not been convicted of any criminal drug statute violation on any job site or project within three years of the date of my signature below.

EXCEPTION: _____
 Date Violation Type Place of Occurrence Yes No
 Was Employed By this Firm

If additional space is required use back of this form.

*** The above statement will also be incorporated as a part of each subcontract agreement for any and all subcontractors selected for performance on this project.**

IN THE EVENT THIS COMPANY, CORPORATION, OR BUSINESS IS AWARDED THIS CONSTRUCTION AGREEMENT, AS A RESULT OF THIS BID; THE CONTRACTOR WITH HIS/HER SIGNATURE REPRESENTS TO THE CITY THAT THE INFORMATION DISCLOSED IN THIS DOCUMENT IS COMPLETE AND ACCURATE. IT IS UNDERSTOOD AND AGREED THAT FALSE CERTIFICATION IS SUBJECT TO IMMEDIATE TERMINATION BY THE CITY.

The Representations Made Herein On This Document Are Made Under Penalty Of Perjury.

CONTRACTOR'S NAME: BONDY PAVING, INC
 BY: [Signature] PRESIDENT Date: 8-2-00
 Signature Title

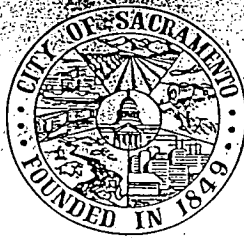
Effects of violations: a. Suspension of payments under the Agreement. b. Suspension or termination of the Agreement. c. Suspension or debarment of the contractor from receiving any Agreement from the City of Sacramento for a period not to exceed five years.

CITY OF SACRAMENTO SUBCONTRACTOR and ESBE PARTICIPATION VERIFICATION

To be eligible for award of this contract, the bidder shall list any business entity used to attain the ESBE goal. Additionally, all other subcontractors who perform work, labor, or render service in an amount in excess of one-half of 1 percent of the total bid amount shall be listed. In the case of bids for the construction of streets and highways, including bridges, subcontractors whose subcontract value exceeds one-half (0.5) of one percent of the total bid or ten thousand dollars (\$10,000), whichever is greater, shall be listed. The inclusion of false information will render the bid non-responsive. READ THE ABOVE REQUIREMENT CAREFULLY

Name of Prime Contractor: <i>BIONDI PAVING, INC</i>		Bid Amount:	Date: <i>8-2-00</i>
Business Entity or Subcontractor Name	Indicate EBE or SBE	Items of Work and/or Description of Work or Service Subcontracted or Materials to be provided to complete contract	Estimated Dollar Value of Work / Services Provided
<i>BOBBIE WALK GRINDING</i>		<i>GRINDING</i>	<i>\$ 19937</i>
<i>CENTERLINE STRIPING CO.</i>	<i>EBE</i>	<i>STRIPING</i>	<i>\$ 6365</i>
<i>KENT'S OIL SERVICE</i>		<i>FABRIC & OIL</i>	<i>\$ 15410</i>
<i>MAM ELECTRIC</i>		<i>ELECTRICAL</i>	<i>\$ 35,199</i>

FILED
AUG 02 2000
By The
Office of The City Clerk



DEPARTMENT OF
ADMINISTRATIVE SERVICES

OFFICE OF MINORITY
WOMEN AND SMALL BUSINESS

CITY OF SACRAMENTO
CALIFORNIA

May 20, 1999

921 TENTH STREET
ROOM 402
SACRAMENTO, CA
95814-2714

FILED

AUG 02 2000

By The
Office of The City Clerk

(916) 264-6747
FAX (916) 264-6765
HOTLINE (916) 433-6923

Steve Biondi
Biondi Paving Company
8150 37th Avenue
Sacramento, CA 95824

Subject: Emerging and Small Business Enterprise Certification

Congratulations! The City of Sacramento Office of Small Business Development (OSBD) has determined that your firm meets the criteria for certification under the Emerging and Small Business Development Program (ESBD).

Effective this day, your firm has been certified as a(n) Emerging and Small Business Enterprise. This certificate will expire June 1, 2001. It is your responsibility to notify this office, within thirty (30) days, of any change in certification status of your firm. Failure to do so will result in revocation of this certification issued by this office. The City's Office of Small Business Development reserves the right to review the certification at any time for purposes of certification compliance.

Your vendor code is BIP5000000P. It may be used when working with any City of Sacramento procurement or contracting project. You must notify this office within (30) days if there is a change of ownership, business name, and address change. It will also be your responsibility to contact our office prior to your expiration date for a recertification application.

Keep this letter as proof of ESBD certification. Thank you for joining the City of Sacramento ESBD Program family. If you have any questions about your certification, call (916) 264-6747.

Sincerely,

Trevor Walton
Administrative Analyst

ESBD Cert
mjb