

AGENDA ITEM NO.

AGENCY MEETING 12-12-06

APPROVED BY

EXECUTIVE DIRECTOR

December 12, 2006

FROM: MARLENE MURPHEY, Executive Director
BY: Janet Smith, Purchasing Manager

Subject: Consider recommendation to:

1. Adopt the Resolution authorizing the construction of a temporary parking lot with perimeter landscaping at the southwest corner of "O" and Santa Clara Streets within the Convention Center Redevelopment Project Area.
2. Award the contract in the amount of \$281,193.44 to Garcia Paving Company, Inc. for the construction of said temporary parking lot (with perimeter landscaping) (Bid File 2674)

RECOMMENDATIONS

It is recommended that the Redevelopment Agency Board take the following actions:

1. Adopt the Resolution authorizing the construction of a temporary parking lot with perimeter landscaping at the southwest corner of "O" and Santa Clara Streets within the Convention Center Redevelopment Project Area; and
2. Award the contract in the amount of \$281,193.44 to Garcia Paving Company, Inc. for the construction of the temporary parking lot (with perimeter landscaping) adjacent to the soon to be completed courthouse for the 5th District Court of Appeal located at the southwest corner of Ventura and "O" Streets

EXECUTIVE SUMMARY

This project will provide a temporary parking lot for the 5th District Court of Appeal courthouse until a future, planned parking structure is constructed to replace it. The parking lot will provide 92 parking spaces (88 standard and 4 handicap spaces) for use by courthouse patrons and employees. The development of the courthouse and the parking lot with landscaping will help eliminate blight within the Convention Center Project Area as well as enhance the area for private investment and improving the image of the project area. Funding for this project was allocated in the Agency's FY06 budget.

The findings required pursuant to Section 33445, California Redevelopment Law, concerning the need for legislative body approval of expenditures of tax increment funds for the construction of any buildings, facilities, structures, etc., on publicly owned property, such as the parking lot, were covered under City Council-Agency Joint Resolution No.'s 2004-449/1656, adopted on November 30, 2004, approving the Master Disposition and Development Agreement for the Armenian Town Project.

**REPORT TO THE CITY COUNCIL AND THE
REDEVELOPMENT AGENCY**

Temporary Parking Lot for the 5th District Court of Appeal
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On December 6, 2006, the Housing and Community Development Commission, upon its consideration of the above recommendations, recommended that the Agency adopt the resolution authorizing the construction of the parking lot award the contract in the amount of \$281,193.44 to Garcia Paving Company, Inc. for the construction of said improvements.

The findings required pursuant to Section 33445, California Redevelopment Law, concerning the need for legislative body approval of expenditures of tax increment funds for the construction of any buildings, facilities, structures, etc., on publicly owned property, such as the parking lot, were covered under City Council-Agency Joint Resolution No.'s 2004-449/1656, adopted on November 30, 2004, approving the Master Disposition and Development Agreement for the Armenian Town Project.

Environmental Assessment No. C-02-061 relating to Phase I Armenian Town Project includes the State courthouse project and the construction of public utilities.

BACKGROUND

In January 2004 the City Council and the Redevelopment Agency authorized the transfer of title to 2.35 acres to the State of California for the 5th District Court of Appeal courthouse. Pursuant to the agreement with the State, the Redevelopment Agency is obligated to provide for the construction of the parking lot to serve the courthouse until a future parking structure is constructed in its place. The parking lot area consists of approximately one acre located at the southwest corner of "O" and Santa Clara Streets and northerly of State Route 41.

Plans and specifications were prepared and a Notice Inviting Bids was published in the Business Journal on November 13, 2006, posted on the City's web site and faxed to twelve building exchanges. The specifications were distributed to 10 prospective bidders. Four bid proposals were received and opened in a public bid opening on November 30, 2006. Bid proposal amounts were between \$281,193.44 and \$302,647.65.

Garcia Paving Company, Inc. submitted the lowest bid in the amount of \$281,193.44 and is considered the lowest responsive and responsible bidder. This staff determination was posted on the City's website on December, 2006.

It is anticipated the project will be completed within approximately 45 working days from the date of the Notice to Proceed.

It is noted that the Redevelopment Agency may reject all bids. If all bids are rejected, the project will be rebid resulting in a delay of approximately sixty days.

Attachments: Resolution
Evaluation of Bid Proposal
Site Map
Site Plan of Proposed Parking Lot

REDEVELOPMENT AGENCY RESOLUTION NO. _____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, CALIFORNIA, FOR THE AWARD OF A CONTRACT FOR THE CONSTRUCTION OF A TEMPORARY PARKING LOT TO SERVE THE 5TH DISTRICT COURT OF APPEAL.

WHEREAS, on January 12, 1999, the Council of the City of Fresno (the "Council") established the Convention Center Redevelopment Project Area (the "Project Area"), by adopting Ordinance No. 82-6, approving and adopting the Convention Center Redevelopment Plan for the Project Area, and the Council has adopted Ordinances No. 94-118, 98-46 and 2005-120, on December 6, 1994, June 30, 1998 and October 24, 2005, respectively amending the Convention Center Redevelopment Plan (collectively the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Agency of the City of Fresno (the "Agency") is engaged in activities necessary to carry out the Plan, and the Plan authorizes the Agency to: (i) install, construct or reconstruct public improvements or facilities to eliminate blight, (ii) cause or provide for installing or constructing utilities and other public improvements necessary to carry out the Plan, and (iii) specifically includes traffic signal and safety lighting system improvements associated with plan implementation; and

WHEREAS, on June 7, 2005 the Agency adopted Resolution 1661, approving the Five-Year Implementation Plan for the 10 Project Areas in Merger No.1, which includes the subject property (the "Implementation Plan"); and

WHEREAS, the Implementation Plan, to help eliminate physical and economic blighting influences and establish a positive visual image, includes a program to make selected public improvements in the Project Area including, without limitation, safety lighting system

improvements associated with plan implementation, and utility system relocation and/or undergrounding; and

WHEREAS, on November 19, 2002 the City Council adopted Mitigated Negative Declaration No. C-02-061 relating to Phase I Armenian Town Project which includes the subject property for the State Project; and the State's Department of General Services environmentally assessed the State Project, as described in the agreement between the Agency and the State, including the provision of utilities and facilities needed to facilitate the construction and operation of the courthouse, which resulted in a finding of a categorical exemption under CEQA; and

WHEREAS, the proposed project provides for the construction of a temporary parking lot to serve the 5th District Court of Appeal within the Cornerstone or Old Armenian Town redevelopment project area; and

WHEREAS, on December 6, 2006 in a regular meeting, the Housing and Community Development Commission ("HCDC") considered this resolution and the proposed findings relating to the Project and funding, and voted to recommend that the Council and Agency Board adopt the resolution; and

WHEREAS, the Agency's adopted FY 06 Budget appropriates funds to construct the Project and funds are currently available for the construction; and

WHEREAS, the Agency and Council, after due consideration, believe that the Agency's costs to construct the Project, \$281,193.44, is in the best interests of the City and health, safety, and welfare of employees, businesses, property, and visitors to the Project Area, and is consistent with the public purposes and provisions of applicable state and local laws; and will improve the

quality of life for residents, visitors to, and businesses and properties within the Project Area, consistent with the Plan.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Fresno as follows:

1. Based upon substantial evidence provided in the record before it, the Agency finds and determines the following:

Finding No. 1.1: The Project will help improve the visual quality and image of the Project Area, and benefit the Project Area.

Finding No. 1.2: The Project will help eliminate blight within the Project Area in the immediate vicinity of the Project, and within the overall Project Area, by facilitating the development of the Court House for the 5th District Court of Appeal which will enhance the area for private investment, and upgrading and improving the image of the Project Area.

Finding No. 1.3: The Project is consistent with the Implementation Plan for the Redevelopment Project Area.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno and Ex-Officio Clerk of the Redevelopment Agency of the City of Fresno, certify that the Redevelopment Agency of the City of Fresno, California, adopted the foregoing resolution at a public meeting held on the ___ day of December, 2006, and that the same was passed by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

REBECCA E. KLISCH
City Clerk and Ex Officio Clerk
Of the Redevelopment Agency

BY: _____
Deputy

APPROVED AS TO FORM
JAMES C. SANCHEZ
City Attorney and Ex Officio
Attorney of the Redevelopment
Agency

BY:  _____
Deputy

EVALUATION OF BID PROPOSALS
REDEVELOPMENT AGENCY

FOR: CONSTRUCTION OF RDA PARKING LOT AT THE SW CORNER OF 'O STREET AND SANTA CLARA AVENUE

Bid File No. 2674
Bid Opening: November 30, 2006

| | <u>BIDDERS NAME</u> | <u>TOTAL BID</u> |
|----|---|-------------------------|
| 1. | Garcia Paving Company, Inc. 2951 S Elm Fresno CA 93706 | \$281,193.44 |
| 2. | Yarbs Enterprise 11339 S Peach Fresno CA 93725 | \$281,609.26 |
| 3. | Doug Ross Inc. dba Central Valley Asphalt 23494 Rd 196 Lindsay CA 93247 | \$295,689.00 |
| 3. | Teichert Construction (Fresno District) 13281 Golden State Blvd. Kingsburg CA 93631 | \$302,647.65 |

Each bidder has agreed to allow the City sixty-two (62) days from date bids are opened to accept or reject their bid proposal. Purchasing requests that you complete the following sections and return this bid evaluation to the Purchasing Division at the latest by Monday, December 4, 2006, 5:00 P.M.

The Engineer's Estimate/Budget Allocation for this expenditure is \$ 271,313. The contract price is 3.6% above the Engineer's Estimate/Budget Allocation. If the overage is greater than 10% or only one bid was received, give explanation:

Because the overage fell within the 10% margin, no explanation is required.

BACKGROUND OF PROJECT :

In January 2004 the City Council and the Redevelopment Agency authorized the transfer of title to 2.05 acres at the southwest to the State of California for the 5th District Court of Appeal courthouse. Pursuant to the agreement with the State, the Redevelopment Agency is obligated to provide for the construction of a temporary parking lot to serve the courthouse.

Specifications were prepared and a Notice Inviting Bids was published in the Business Journal on November 13, 2006, posted on the City's web site and faxed to six building exchanges. The specifications were distributed to 10 prospective bidders.

REDEVELOPMENT AGENCY OF THE CITY OF FRESNO



VENTURA AVENUE

SANTA CLARA ST

5TH DCA COURTHOUSE SITE

O STREET

PROPOSED PARKING LOT

SAN BENTO ST

O ST

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