

CITY OF YUBA CITY
STAFF REPORT

Date: August 4, 2009
To: Honorable Mayor & Members of the City Council
From: Department of Public Works
Presentation by: George L. Musallam, Public Works Director

Summary

Subject: SR-99 Median Improvement Project

- Recommendation:**
- a. Award Contract No. 08-26, SR-99 Median Improvement Project, to Newland Entities Inc., of Yuba City, CA in the amount of their total bid of \$199,883.91
 - b. Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney.
 - c. Adopt a resolution of the City Council approving and authorizing execution of a public works agreement with the Redevelopment Agency for construction of the SR-99 Median Improvement Project.
 - d. Adopt a resolution of the Redevelopment Agency approving and authorizing execution of a public works agreement with the City of Yuba City for construction of the SR-99 Median Improvement Project.

Fiscal Impact: \$219,872.30 – Account No. 911113-65501 (SR-99 Landscape Median), specified as follows:
 \$199,883.91 – contract award amount
 \$ 19,988.93 – construction contingency

Background:

On May 5, 2009, Council approved the plans and specifications for the SR-99 Median Improvement Project and authorized the Public Works Department to advertise for bids.

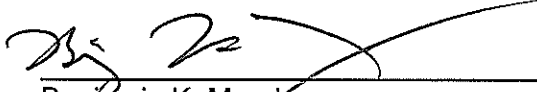
Analysis:

The SR-99 Median Improvement Project was advertised for bid in June and July 2009. Plans and specifications were provided to local builder/contractor exchanges and purchased by 18 contractors/suppliers. On July 21, 2009, 9 bids were received and opened in the City Clerk's office. A list of the bids received and the engineer's estimate are shown below.

<u>Company</u>	<u>Bid Amount</u>
Newland Entities Inc, Yuba City	\$199,883.91
Martin General Engineering, Rancho Cordova	\$202,874.00


- d. Adopt a resolution of the Redevelopment Agency approving and authorizing execution of a public works agreement with the City of Yuba City for construction of the SR-99 Median Improvement Project.

Prepared by:



Benjamin K. Moody
Associate Civil Engineer

Submitted by:





Steven R. Jepsen
City Manager

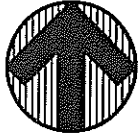
Reviewed by:

Department Head

Finance

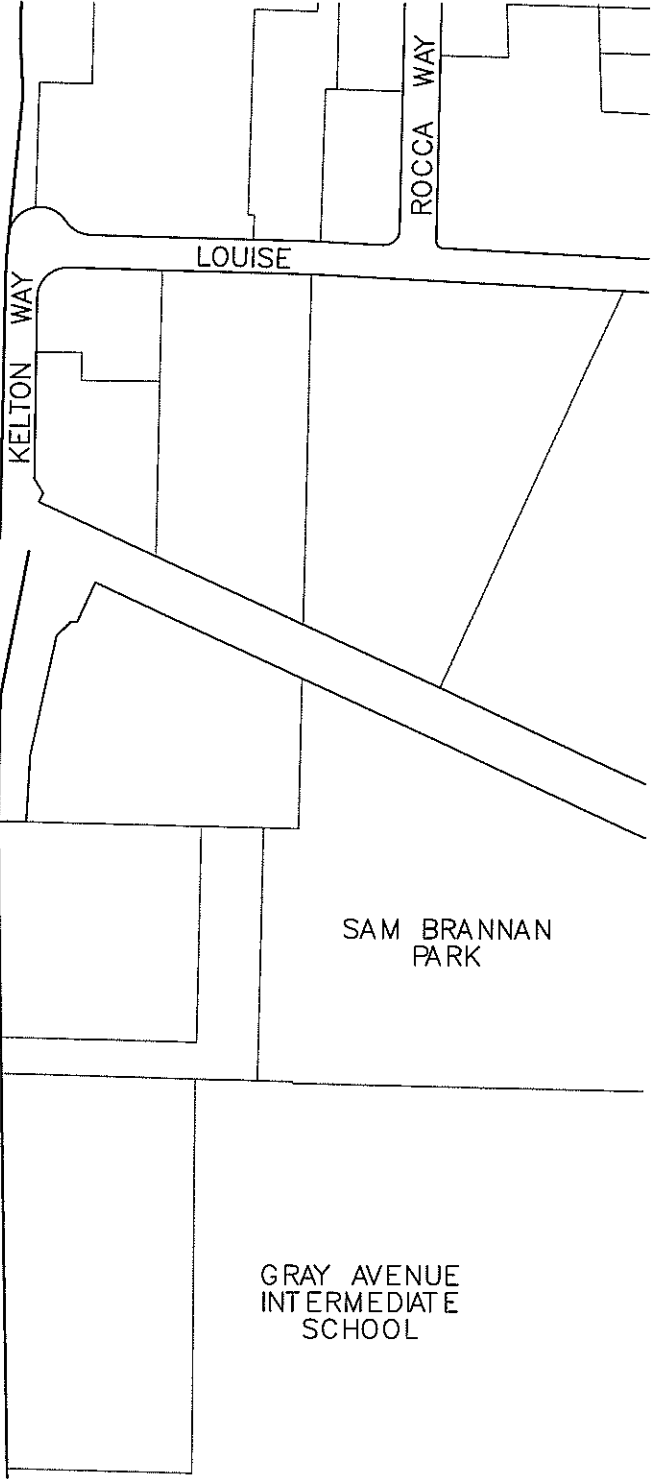
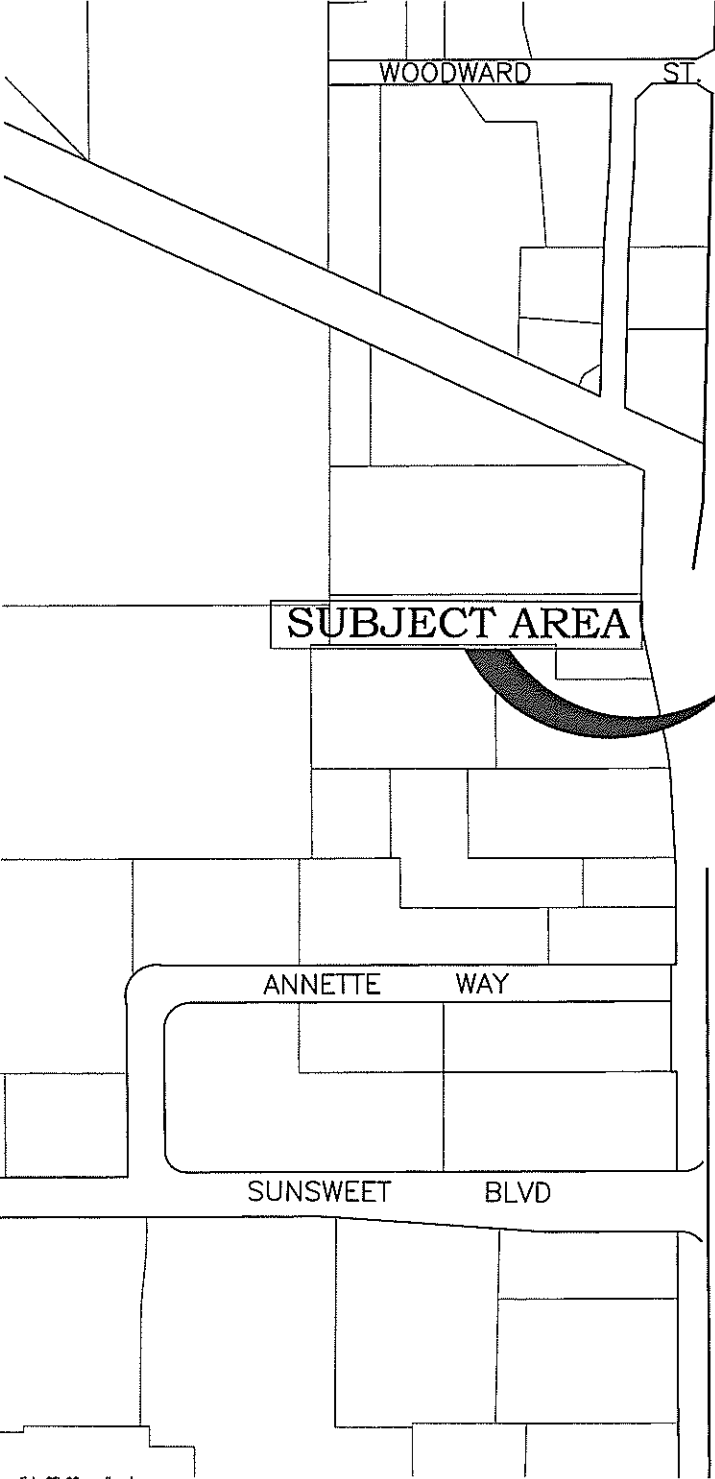
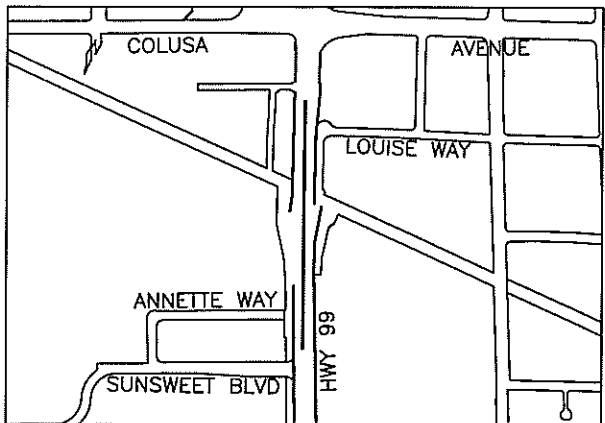






SCALE: 1" = 300'

SR-99 MEDIAN IMPROVEMENTS



EXHIBIT



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING AND AUTHORIZING EXECUTION OF A PUBLIC
WORKS AGREEMENT WITH THE REDEVELOPMENT AGENCY OF
THE CITY OF YUBA CITY FOR THE SR-99 MEDIAN IMPROVEMENT
PROJECT**

WHEREAS, by Ordinance No. 1073, approved and adopted July 17, 1989, the City Council of the City of Yuba City (the "City Council") approved and adopted the Redevelopment Plan (the "Plan") for the Yuba City Redevelopment Project (the "Project"); and

WHEREAS, the Plan was subsequently amended by Ordinance No. 15-92 on July 21, 1992, Ordinance No. 02-96 on May 21, 1996, Ordinance No. 17-99 on December 7, 1999, and Ordinance No. 05-01, adopted July 17, 2001; and

WHEREAS, pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.), the Redevelopment Agency of the City of Yuba City (the "Agency") is carrying out the Plan for the Project in the redevelopment project area (the "Project Area"); and

WHEREAS, pursuant to Health and Safety Code section 33220, the City is authorized to aid and cooperate with the Agency in carrying out the Project and take actions necessary to ensure the fulfillment of the purposes of the Redevelopment Plan and to prevent the recurrence or spread in the Project Area of conditions causing blight; and

WHEREAS, in furtherance of the Project, the Agency wishes to pay for certain public improvements in the Project Area consisting of the removal of railroad tracks from certain City streets within the Project Area, (the "Public Improvements"), which Public Improvements are being undertaken by the City; and

WHEREAS, the Plan authorizes the Agency to install and construct, or to cause to be installed and constructed, public improvements necessary to carry out the goals and objectives of the Plan; and

WHEREAS, Section 33445 of the Community Redevelopment Law provides that the Agency may, with the legislative body's consent, pay for all or part of the value of land for and the cost of installation and construction of any building, facility, structure or other improvements which are publicly owned, either within or without the Project Area, if the Agency and legislative body make certain findings; and

WHEREAS, the City and Agency have prepared a Public Works Agreement which establishes the terms under which the Agency may contribute to the City the cost of installing and constructing the Public Improvements;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The City Council hereby determines that the Public Improvements are of benefit to the Project Area and that no other reasonable means of financing the cost of the Public Improvements to be paid by the Agency are available to the community. These determinations are based on the following facts:

- (a) The proposed Public Improvements are located within the Project Area;
- (b) The proposed Public Improvements will bring long needed improvements to public infrastructure and will enhance the streetscape within the Project Area;
- (c) The proposed Public Improvements will stimulate and encourage further redevelopment and private investment in the Project Area; and
- (d) The City does not have sufficient funds to complete the proposed Public Improvements.

Section 2. The City Council further determines that the Public Improvements will assist in the elimination of one or more blighting conditions inside the Project Area and are consistent with the implementation plan adopted by the Agency pursuant to Section 33490 of the Community Redevelopment Law. These determinations are based on the following facts:

- (a) As set forth in Section 33030(c) of the Community Redevelopment Law, the existence of inadequate public improvements, parking facilities or utilities is one condition that contributes to the characterization of an area as blighted; and
- (b) The Implementation Plan adopted by the Agency on February 1, 2005, contemplates the installation and construction of public improvements in the Project Area.

Section 3. Pursuant to Section 33678 of the Community Redevelopment Law, the City Council further determines that the Public Improvements are redevelopment as prescribed in Sections 33020 and 33021 of the Community Redevelopment Law, that the Public Improvements will primarily benefit the Project Area, and that none of the funds used for the Public Improvements will be used for employee or contractual services of any local government agency except for services directly relating to the construction of the Public Improvements.

Section 4. The City Council hereby approves the Public Improvement Agreement between the City and the Agency, subject to any minor conforming, technical or clarifying changes approved by the City Attorney. The City Council further authorizes the City Manager to take all actions necessary to carry out the Public Works Agreement, including execution of the Agreement and any other documents necessary to carry out the provisions of the Public Works Agreement.

IN WITNESS WHEREOF, the City Council of the City of Yuba City, at a meeting held on the 4th day of August, 2009, has duly passed and adopted this resolution and caused it to be executed by the following vote:

AYES:

NOES:

ABSENT:

Mayor

ATTEST:

City Clerk

AGENCY RESOLUTION NO. _____

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY
OF YUBA CITY APPROVING AND AUTHORIZING EXECUTION OF
A PUBLIC WORKS AGREEMENT WITH THE CITY OF YUBA CITY
FOR THE SR-99 MEDIAN IMPROVMENT PROJECT**

WHEREAS, by Ordinance No. 1073, approved and adopted July 17, 1989, the City Council of the City of Yuba City (the "City Council") approved and adopted the Redevelopment Plan (the "Plan") for the Yuba City Redevelopment Project (the "Project"); and

WHEREAS, the Plan was subsequently amended by Ordinance No. 15-92 on July 21, 1992, Ordinance No. 02-96 on May 21, 1996, Ordinance No. 17-99 on December 7, 1999, and Ordinance No. 05-01, adopted July 17, 2001; and

WHEREAS, pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.), the Redevelopment Agency of the City of Yuba City (the "Agency") is carrying out the Plan for the Project in the redevelopment project area (the "Project Area"); and

WHEREAS, pursuant to Health and Safety Code section 33220, the City is authorized to aid and cooperate with the Agency in carrying out the Project and take actions necessary to ensure the fulfillment of the purposes of the Redevelopment Plan and to prevent the recurrence or spread in the Project Area of conditions causing blight; and

WHEREAS, in furtherance of the Project, the Agency wishes to pay for certain public improvements in the Project Area consisting of the removal of railroad tracks from certain City streets within the Project Area (the "Public Improvements"), which Public Improvements are being undertaken by the City; and

WHEREAS, the Plan authorizes the Agency to install and construct, or to cause to be installed and constructed, public improvements necessary to carry out the goals and objectives of the Plan; and

WHEREAS, Section 33445 of the Community Redevelopment Law provides that the Agency may, with the legislative body's consent, pay for all or part of the value of land for and the cost of installation and construction of any building, facility, structure or other improvements which are publicly owned, either within or without the Project Area, if the Agency and legislative body make certain findings; and

WHEREAS, the City and Agency have prepared a Public Works Agreement which establishes the terms under which the Agency may contribute to the City the cost of installing and constructing the Public Improvements;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Agency hereby determines that the Public Improvements are of benefit to the Project Area and that no other reasonable means of financing the cost of the Public Improvements to be paid by the Agency are available to the community. These determinations are based on the following facts:

- (a) The proposed Public Improvements are located within the Project Area;
- (b) The proposed Public Improvements will bring long needed improvements to public infrastructure and will enhance the streetscape within the Project Area;
- (c) The proposed Public Improvements will stimulate and encourage further redevelopment and private investment in the Project Area; and
- (d) The City does not have sufficient funds to complete the proposed Public Improvements.

Section 2. The Agency further determines that the Public Improvements will assist in the elimination of one or more blighting conditions inside the Project Area and are consistent with the implementation plan adopted by the Agency pursuant to Section 33490 of the Community Redevelopment Law. These determinations are based on the following facts:

- (a) As set forth in Section 33030(c) of the Community Redevelopment Law, the existence of inadequate public improvements, parking facilities or utilities is one condition that contributes to the characterization of an area as blighted; and
- (b) The Implementation Plan adopted by the Agency on February 1, 2005, contemplates the installation and construction of public improvements in the Project Area.

Section 3. Pursuant to Section 33678 of the Community Redevelopment Law, the Agency further determines that the Public Improvements are redevelopment as prescribed in Sections 33020 and 33021 of the Community Redevelopment Law, that the Public Improvements will primarily benefit the Project Area, and that none of the funds used for the Public Improvements will be used for employee or contractual services of any local government agency except for services directly relating to the construction of the Public Improvements.

Section 4. The Agency hereby approves the Public Improvement Agreement between the City and the Agency, subject to any minor conforming, technical or clarifying changes approved by the Agency Counsel. The Agency further authorizes the Executive Director to take all actions necessary to carry out the Public Works Agreement, including execution of the Agreement and any other documents necessary to carry out the provisions of the Public Works Agreement.

IN WITNESS WHEREOF, the Redevelopment Agency of the City of Yuba City, at a meeting held on the 4th day of August, 2009, has duly passed and adopted this resolution and caused it to be executed by the following vote:

AYES:

NOES:

ABSENT:

Chairman

ATTEST:

Secretary