



ANNOTATED AGENDA

**REGULAR JOINT MEETING OF THE
CONCORD CITY COUNCIL
AND REDEVELOPMENT AGENCY**

**Tuesday, November 9, 1999
5:30 p.m. - City Council Conference Room
6:30 p.m. - Council Chamber
1950 Parkside Drive, Concord, CA**

City Council/Redevelopment Agency Agenda

November 9, 1999

REDEVELOPMENT AGENCY MATTERS

7. **CONSIDERATION** - of approving agreements with International Parking Design and O'Brien-Kreitzburg to provide design and project management consulting services for a parking structure located on the block bounded by Concord Avenue, Pacheco Street, Mt. Diablo Street, and Salvio Street, and revising the Ten-Year Capital Improvement Program by moving funds for a downtown parking facility now shown in 2001-2002 forward to 1999-2000. **Report from Economic/Redevelopment Manager Helen Bean.**

ACTION: Two agreements approved and Ten-Year Capital Improvement Program revised as recommended; **staff to consider adoption of project labor agreement.**

**REPORT TO MAYOR/REDEVELOPMENT AGENCY CHAIR
AND CITY COUNCIL/AGENCY BOARD**

**TO THE HONORABLE MAYOR/REDEVELOPMENT AGENCY CHAIR
AND CITY COUNCIL/AGENCY BOARD:**

*No PLA
referenced
in Report*

DATE: November 9, 1999

SUBJECT: CONSIDERATION OF REVISING THE TEN-YEAR CAPITAL IMPROVEMENT PROGRAM BY MOVING FUNDS FOR A DOWNTOWN PARKING FACILITY NOW SHOWN IN 2001-2002 FORWARD TO 1999-2000 AND APPROVING AGREEMENTS WITH INTERNATIONAL PARKING DESIGN AND O'BRIEN KREITZBERG TO PROVIDE DESIGN AND PROJECT MANAGEMENT CONSULTING SERVICES.

Report in Brief

The Agency Board has long recognized the value and future need for additional parking in the downtown. The Redevelopment Agency's 10 -year plan has identified this project for the past several years. It is now time to begin the planning and ultimate construction of this facility. Five million dollars is included in the Redevelopment Agency's Ten-Year plan for a downtown parking structure in Fiscal Year 2001-2002. To assist with future downtown development and business attraction, staff is requesting the Agency Board consider advancing these funds to the current fiscal year. This will result in the facility being completed one year ahead of the time now shown in the budget.

Staff is recommending development of a three-level 440 space parking structure on the site of the City's existing parking lot located on the block bounded by Concord Avenue, Pacheco Street, Mount Diablo Street, and Salvio Street. Development of the structure will require acquisition of one private parcel, 2081 Salvio Street, the site of the Fuji Buffet restaurant. The parking structure will be designed and bid as a design-build project. In a design-build project the City solicits bids on plans and specifications that have been developed through the 30 percent design development stage.

The Agency Board is also requested to consider approving two contractual agreements to initiate the development process. One of the agreements is with International Parking Design for \$201,800 to develop the design specifications and a design-build solicitation package for the parking garage (Attachment 1). The other agreement is with O'Brien Kreitzberg for \$438,795 to provide project management services and serve as the Redevelopment Agency's project manager during the parking garage construction (Attachment 2).

Background

Downtown Concord property owners and brokers working in the downtown have indicated that additional parking is needed to enhance the marketability of property in the downtown area. Businesses surrounding the Plaza would significantly benefit from new parking resources. Specifically, the principal property owner on the block bounded by Salvio Street, Mt. Diablo Street, Willow Pass Road, and Galindo Street, has stated that prospective major tenants repeatedly cite the lack of parking near that location as a principal reason why they are

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not interested in leasing his property. The property owner of the vacant lot at 2097 Salvio Street has met with Redevelopment Agency staff with the express purpose of requesting that a structure be built. Local area brokers (Grubb and Ellis, Collier's International Inc.) have confirmed these observations. According to these sources, the City's Salvio Street parking structure is too far from businesses on the West side of Todos Santos Plaza to accommodate this demand.

Results from the annual citywide survey also corroborate these sentiments. The survey found parking satisfaction to be the lowest ranking indicator of satisfaction with the downtown. The survey found that "The availability of parking downtown concerns Concord residents." Of 588 residents surveyed, 383 (65 percent) were satisfied with downtown parking. The objective is an eighty percent approval rating.

Parking Study

To address these issues staff has updated the portion of the City's 1995 *Downtown Concord Parking Assessment Study* related to the downtown study area. The downtown study area roughly corresponds to the Downtown Main Street program area. Its boundaries extend from Pacheco Street to the north, Port Chicago Highway to the east, Oak Street and Concord Boulevard to the South (skirting the edge of the Bank of America Technology Center), and Mira Vista Lane to the east (Attachment 3).

The study compares the supply of parking to the demand for parking and develops findings regarding the net surplus or deficit of parking spaces at varying times throughout the day, including peak-hour demands for different uses. The supply of parking is based on an inventory of existing on-street and off-street facilities conducted on a block-by-block basis. The demand for parking was measured by developing an inventory of land uses in the study area. Parking rates corresponding to the particular land use are used to develop an estimate of parking demand. Estimated parking demand is subtracted from the inventory of parking supply to derive a parking surplus or deficit on a block by block basis.

This analysis found that there are 4,355 on and off-street parking spaces in the study area. The peak hour of demand is 1 PM when office employees and patrons to downtown businesses are seeking parking in the area. At this time, total parking demand is for 4,480 spaces revealing a deficit of 125 spaces. This deficit is anticipated to grow as more businesses develop throughout the downtown area.

Discussion

The overall shortage of peak-hour parking in the downtown identified in the parking study indicates a need for the development of additional centralized parking resources. Lack of parking can function as a significant disincentive for patrons to visit an area and a disincentive for new business operations. This is the concern of City staff, downtown property owners, and business owners. Prospective tenants evaluating the downtown for a location have repeatedly indicated that ample nearby parking resources are necessary for successful business operations. This is especially relevant in a suburban area where people are used to parking close to their final destination.

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The need for continued development and management of parking resources has long been recognized by the Agency Board in the Redevelopment Agency's Ten-Year plan. It has been identified in both the Redevelopment Agency's Implementation Plan and the Capital Improvement Program for the past several years. The Ten-Year plan includes \$5 million in Fiscal Year 2001-2002 in funding for a parking structure to meet the needs of future downtown development.

The Agency Board also acknowledged the Agency's responsibility to provide parking resources for downtown businesses when it initially approved the downtown In-Lieu Parking Fee in 1977 and later amended the fee in March 1997. Currently new businesses developing in the pedestrian portion of the downtown district (east of Galindo Street to the Port Chicago Highway) have the option of paying a fee in-lieu of developing parking on site or securing parking off-site through off-site parking or shared parking agreements. The intention of the in-lieu fee is to encourage in-fill development (continuous facades, minimal setbacks) and enhance the pedestrian character of the downtown area. Furthermore, small parcels in the downtown make it infeasible to develop adequate parking on-site to serve new development.

To promote business development in the downtown, staff believes that the current parking shortfall must be addressed in a pro-active manner. Staff is recommending that another parking structure be developed in the downtown. Staff believes the best location for the parking structure is on the site of the City's existing parking lot located on the block bounded by Concord Avenue, Pacheco Street, Mount Diablo Street, and Salvio Street. This site is advantageously located to serve downtown businesses. This site has been previously identified as the most appropriate location to address future parking needs. The City and Agency currently own the majority of the site so development of the parking structure at this location would be a cost-effective option.

Project Description

A three-level structure would be sufficient to meet existing demand in the area. A structure of this size would yield approximately 440 parking spaces, of which 300 would be net new spaces. This number of new spaces is slightly more than double the current deficit thereby allowing room for future growth in parking demand. The updated parking study indicates a peak hour deficit of 125 spaces in the downtown district as a whole.

A conceptual project site plan is presented in Attachment 5. The proposed structure is three bays wide and is approximately 190' wide and about 328' long. The vehicular access, in and out, is planned for Pacheco Street as well as Salvio Street. The vertical vehicle circulation is provided by a two-way parking ramp on the south side of the structure. All of the parking is at a 90-degree angle with two-way traffic flow to obtain maximum design efficiency.

The proposed parking structure requires acquisition of 2081 Salvio Street, the site of the Fuji Buffet restaurant. This property is set back significantly from Salvio Street and is surrounded on three sides by the existing public parking lot. Incorporating this property into the parking structure site will enhance the efficiency of the structure and provide an urban design benefit by removing a poorly placed structure. It also creates the opportunity for new development on the Salvio Street side of the structure in place of the existing public lot in front of the restaurant.

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Development Process and Team

The parking structure is proposed to be developed as a design-build project. In a design-build project the City solicits bids on plans that have been developed through the 30 percent design development stage. The design-build bid package will also include architectural elevations of the façade of the structure that will have been reviewed and approved by the Agency Board. The design-build package also includes clear specifications of building materials and finishes required for a quality project.

Parking structures are often developed as design-build projects since they are not extremely complicated projects. The advantages of this approach over bidding completed working drawings are that the City obtains a guaranteed price prior to spending significant dollars on working drawings and that contractor initiated change orders are significantly reduced. However, this method still assures the City that the successful bidder will incorporate the desired design, materials, and finishes into the project. Ultimately a design-build process for a parking structure saves money and can be constructed in less time.

The development team will consist of a project manager and a principal architect. The Agency Board is requested to approve the following contracts:

- Retaining International Parking Design (IPD) as the principal architect on the project to prepare design-build documents. IPD has an excellent reputation as one of the preeminent firms specializing in parking design in the western United States. IPD has served as prime architect for over 215 parking structures and as parking consultants on an additional 3,000 projects. The firm is known for producing aesthetically pleasing, highly functional, cost-effective parking facilities. IPD has been working with the City since 1990 on parking issues and has conducted the work to prepare the initial concept plan for the Concord Avenue structure. IPD's Oakland office will be in charge of the project.

IPD's contract and scope of work for the project is presented as Exhibit A to the contract presented in Attachment 1 of this report. The principal elements of the scope of work include the following:

- Programming - finalizing the parking structure building program, establishing design criteria, and compiling all relevant data concerning site conditions.
- Preparation of Schematic Design - preparing a plan reflecting the optimum layout and coordinating the design architect's work to comply with structural and functional design criteria.
- Preparation of Design-Build Documents - including a site plan, floor plans, sections, elevations, framing plans and basic mechanical, electrical and communications, signage and graphics systems, materials and quality standards.
- Bid Phase Assistance - including evaluation of bids and alternates.
- Review of Design-Build Team's Construction Documents - review in terms of compliance with the scope and criteria documents.
- Construction Phase Administration - review contractor's shop drawing submittals and visit site during construction.

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An architect specializing in parking structure facades and a landscape architect will be retained as a sub-consultant to IPD. The cost of IPD's contract to conduct the above detailed work is \$201,800. This budget includes the cost of the design architect and landscape architect's contract that will serve as a sub-consultant to IPD.

- Retaining O'Brien Kreitzberg as the project manager. O'Brien Kreitzberg is headquartered in San Francisco and specializes in public works construction and project management. Services provided by the firm include scheduling, estimating, cost control, value engineering, constructability review, management information systems, contract administration, quality inspections, and claims management. The firm has successfully managed projects in both the public and private sectors, often under critical time pressures involving complicated decision-making. The firm specializes in bringing projects to completion on time, within budget and to the specified quality. O'Brien Kreitzberg has extensive experience in managing new construction, renovations, rehabilitations, and seismic upgrades on all types of projects. The firm's experience covers traditionally bid, design-build, and turnkey delivery methods. Some of O'Brien Kreitzberg's local experience in major public works projects includes the BART-San Francisco Airport extension and the Federal Building in the City of Oakland. The firm has assisted the City of Concord on the Concord Pavilion expansion project. O'Brien Kreitzberg's San Francisco office employs 120 people and the firm employs a total of 750 people nationally.

The firm will serve as an extension of staff on the project. This includes managing the development of bid documents, project scheduling, project budgeting, and managing engineering and design consultants. O'Brien Kreitzberg will also provide assistance in cost control and cost reporting, manage change orders, and provide oversight of the contractor's work. By utilizing the firm's capabilities and expertise in these areas, the Agency will be able to effectively contain project costs and deliver a project on time and within budget.

A detailed scope of work is included as Exhibit A to the contract presented in Attachment 2 of this report and includes the following services:

Program and construction management

- Assist in the development of a final procurement strategy.
- Review development and recommend approval of project design criteria.
- Review and recommend payment of consultant's invoices.
- Assist in the development of plans and bid documents.
- Assist in marketing the project to the construction community.
- Review and recommend action on the bid proposals.
- Develop and maintain the project schedule.

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Contract administration

- Prepare notice to proceed and conduct post award conference.
- Manage project correspondence.
- Maintain document control logs.
- Review progress payments.
- Coordinate review of final construction documents.
- Manage cost control and reporting systems.
- Review and analyze contractor's schedule and daily performance.
- Monitor and inspect construction contract.
- Coordinate special inspection and testing services.
- Evaluate, negotiate, recommend and prepare Change Orders.
- Manage contract closeout.

The proposed contract with O'Brien Kreitzberg is for \$438,795.

Fiscal Impact

Funds for this project are earmarked in the Redevelopment Ten Year Capital Improvement Program. Five million dollars has been allocated in FY 2001-02 to fund a "Downtown Facility Project" that was anticipated to be a parking structure. It is proposed that the funds be advanced to FY 1999-00.

Public Contact

Copies of this report have been given to the Chamber of Commerce, the Downtown Main Street Program, and to property owners adjacent to the site of the parking structure.

Alternative Courses of Action

1. Approve the following actions:
 - a) Approve revising the Ten-Year Capital Improvement Program by moving funds for a downtown parking facility now shown in 2001-2002 forward to 1999-2000.
 - b) Approving agreements with International Parking Design for \$201,800 to develop design specifications and a design-build solicitation package for the Concord Avenue parking garage and an agreement with O'Brien Kreitzberg for \$438,795 to provide project management services and serve as the Redevelopment Agency's project manager during the entire duration of the project.
2. Do not authorize the allocation of the recommended funds or enter into these agreements and provide staff with an alternative course of action.

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Recommended Action

Alternative 1 above.

Edward R. James
City Manager

Prepared by: Helen Bean
Economic Development/
Redevelopment Manager

Attachments:

Attachment 1 - International Parking Design Contract

Attachment 2 - O'Brien Kreitzberg Contract

Attachment 3 - Downtown Parking Area Map (not available electronically)

Attachment 4 - Findings from Parking Analysis (not available electronically)

Attachment 5 - Conceptual project site plan (not available electronically)



Associated Builders and Contractors

Golden Gate Chapter

November 29, 2000

The Honorable Name
Concord City Council
Address
Concord, CA 945xx

Re: Project Labor Agreement for the Concord Avenue Parking Structure

Dear Councilmember Name:

I was informed by Ken Aisawa of O'Brien Krietzberg that the low bidder for the \$5.7 million Concord Avenue Parking Structure will have to sign a Project Labor Agreement (PLA) with the Contra Costa Building and Construction Trades Council. When I asked for written evidence, Mr. Aisawa told me **the city manager had e-mailed him a directive that the low bidder would have to sign a PLA with the unions.**

I have been unable to find any record in the Concord City Council minutes of a vote to approve a PLA on this job. On November 9, 1999, the Concord City Council voted for staff to consider adoption of a PLA. I did not realize that this vote meant that the staff had full authority to require a PLA. Did the City Council actually intend to impose a PLA?

The Golden Gate Chapter of Associated Builders and Contractors would have been interested in presenting our position on PLAs to the Concord City Council before the decision was made to impose a PLA on the low bidder. PLAs are controversial and opposed by both merit shop and union construction associations.

ABC opposes PLAs for the following reasons:

- All workers on a project are forced to join a union or pay union dues and fees.
- Employers are required to pay workers' health and welfare benefits to union trust funds.
- All new workers must be hired from the union hiring halls.
- All apprentices must come from union training programs, even though there are state-approved merit shop programs in the East Bay.

**REPORT TO MAYOR/REDEVELOPMENT AGENCY CHAIR
AND CITY COUNCIL/AGENCY BOARD****TO THE HONORABLE MAYOR/REDEVELOPMENT AGENCY CHAIR
AND CITY COUNCIL/AGENCY BOARD:***No PLA
referenced
in report.*

DATE: December 19, 2000

SUBJECT: CONSIDERATION OF AN AWARD OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$7,523,531 TO WEST BAY BUILDERS, INC. OF SAN RAFAEL, CA, FOR PROJECT NO. 975, CONCORD AVENUE PARKING STRUCTURE, AND CONSIDERATION OF APPROVING THE PROPOSED PROJECT FINANCING.**Report in Brief**

Bids were opened for Project No. 975, Concord Avenue Parking Structure on Thursday, December 7, 2000 at 2:00 p.m. This project entails construction of the three-level 432-space parking structure on the site of the City's existing parking lot located on the block bounded by Concord Avenue, Pacheco Street, Mount Diablo Street, and Salvio Street. A total of five (5) bids were received, ranging in price from \$7,523,531 to \$7,874,097, as shown on the Bid Analysis Sheet included as Attachment 1. The engineer's estimate for the work was \$6,590,000. West Bay Builders, Inc. of San Rafael, CA was the lowest responsible bidder in the amount of \$7,523,531. This firm is a general contracting company specializing in large scale commercial projects that has successfully completed several high quality projects in Northern California, including construction of several parking structures. A copy of the construction bid submitted by West Bay Builders is included as Attachment 2.

Staff recommends award of a construction contract in the amount of \$7,523,531 to West Bay Builders, Inc. of San Rafael, CA as the lowest responsible bidder for Project No. 975, Concord Avenue Parking Structure. A copy of the proposed construction contract is included as Attachment 3. The proposed financing of the project is shown in the Fiscal Impact section. Construction is scheduled to occur from January, 2001 through October, 2001.

Background

At its meeting on November 14, 2000, the Redevelopment Agency Board gave final approval for complete design specifications and a design/bid/construct solicitation package, prepared by International Parking Design, Inc. (IPD), thus clearing the way for closed construction bid submittals for construction of the new parking structure. The proposed parking structure will be two levels above the ground and will include 432 parking spaces. It will be three bays wide, totaling approximately 190' in width and 328' in length. Vehicular access, in and out, is planned for both Pacheco Street and Salvio Street. Vertical vehicular circulation will be provided by a two-way parking ramp on the south side of the structure.

The Agency retained O'Brien Kreitzberg (OK), an engineering consultant, to provide project management services and to serve as the Agency's project manager during the design and construction phases of the parking structure. The Agency also retained IPD to prepare concept plans, design development drawings, design specifications and a design/bid/construct solicitation package for construction of the parking structure. These services included the preparation, completion and issuance of the construction bid documents, and construction

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phase administrative support. IPD submitted complete construction bid documents to the Agency on November 3, 2000 for the bid opening date of Thursday, December 7, 2000 at 2:00 p.m.

The "Notice to Contractors" describing the parking structure project and scheduled bid opening was published on November 3 and 17, 2000 in the Contra Costa Times and in the Dodge Reports/Daily Pacific Builder publication, and bid proposals were made available to contractors at 10:00 a.m. on November 7, 2000. An optional pre-bid conference and site tour was held at 9 a.m. on Wednesday, November 15, 2000 for contractors potentially interested in bidding on the project. There were five (5) sealed bid proposals received by Thursday, December 7, 2000 at 2:00 p.m. These bids were publicly opened and read at that time. The range of bids was \$7,523,531 to \$7,874,097.

Based on the pool of bids submitted by the deadline, staff recommends award of a construction contract in the amount of \$7,523,531 to West Bay Builders, Inc. of San Rafael, CA as the lowest responsible bidder for Project No. 975, Concord Avenue Parking Structure. Staff also recommends the method of financing shown under the Fiscal Impact section.

Discussion

The Agency Board is requested to consider acceptance of the Concord Avenue Parking Structure construction bid submitted by West Bay Builders, Inc. for the amount of \$7,523,531. West Bay Builders, Inc. is a general contracting company specializing in large scale commercial projects, with a reputation in the industry for delivering quality jobs at competitive prices. This company has extensive experience in new construction, renovation and seismic retrofits, and its portfolio includes four parking structure projects.

Verbal and written references have verified that West Bay Builders is a reputable company, is a "team player", shows assertiveness and diligence in keeping projects moving forward, implements projects in an organized manner, has high quality on-site personnel, and utilizes effective and efficient procedures to identify and resolve construction conflicts due to field conditions.

Phasing and Schedule

Construction of the project will be implemented in three phases. Construction Phases 1 and 2 are scheduled to commence during the second week of January, 2001 and be completed by the last week of January, 2001 or the first week of February, 2001. Construction Phase 3, which will be initiated only after Phases 1 and 2 are complete and the managing engineer's authorization to proceed is given, is scheduled to commence by the first week of February and be completed by October 22, 2001. A detailed scope of work is included in Volume II of the Construction Specification for this project. The main components of the three phases are as follows:

Phase 1 work shall include:

- Contractor mobilization;
- Closure of inside left turn lane from southbound Concord Avenue to Pacheco Street;

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- Re-striping and re-signing Pacheco Street for one-way eastbound traffic and diagonal street parking between Concord Avenue and Mt. Diablo Street;
- Pacheco Street bus stop relocation;
- Trash service relocations for adjacent businesses; and
- Commence installation of new PG&E site substructure facilities and City service relocations.

Phase 2 work shall include:

- Expansion/construction of the temporary parking lot facility at the corner of Mt. Diablo Street and Salvio Street.

Phase 3 work shall include:

- Closure and demolition of the existing main parking lot;
- Erection/installation of the temporary construction facilities;
- Utility relocations;
- Construction of the main building structure and site improvements;
- Adjacent property site improvements;
- Closure of the temporary parking lot at the corner of Mt. Diablo Street and Salvio Street and completion of surface and landscape improvements at the Salvio Street driveway;
- Removal of all temporary facilities and property restoration; and
- Final project clean-up and contractor de-mobilization.

Fiscal Impact

The project will be totally funded by the Concord Redevelopment Agency by a combination of an initial installment of cash and then annual reimbursements to the Public Facilities Corporation, which will issue certificates of participation (long-term debt) for the balance of project costs.

The estimated sources of funds for the project are as follows:

Redevelopment Agency Cash:	\$3.7 Million
Public Facilities Corporation Debt (to be reimbursed by the Redevelopment Agency):	\$6.6 Million (net)
TOTAL:	\$10.3 Million

The Public Facilities Corporation debt will likely be a twenty (20) year issue, since the timeframe for the Redevelopment Agency to repay this debt will be twenty four (24) years or less by the time the certificates of participation are issued.

This is a small debt issue and the City of Concord has excellent credit. There will be no problem issuing the debt within ninety (90) days. Council action will be required to issue debt.

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Initial construction payments will be made with existing Redevelopment Agency cash. Funds for this project are earmarked in the Redevelopment Ten-Year Capital Improvement Program. The Redevelopment Agency's cash flow projections demonstrate that there will be sufficient funds to repay the indebtedness.

Public Contact

The "Notice to Contractors" describing the parking structure project and scheduled bid opening was published on November 3 and 17, 2000 in the Contra Costa Times and in the Dodge Reports/Daily Pacific Builder publication, and bid proposals were made available to contractors at 10:00 a.m. on November 7, 2000. An optional pre-bid conference and site tour was held at 9 a.m. on Wednesday, November 15, 2000 for contractors potentially interested in bidding on the project. Plans and Specifications were mailed to all contractors that requested copies, as well as to contractors known to O'Brien Krietzberg as experienced firms with potential interest in bidding on this project. Notice of the meeting has been posted.

Alternative Courses of Action

1. Approve the award of the construction contract in the amount of \$7,523,531 to West Bay Builders, Inc. of San Rafael, CA as the lowest responsible bidder for Project No. 975, Concord Avenue Parking Structure, and method of financing described above.
2. Do not authorize approval of the award of the construction contract and provide staff with an alternative course of action.

Recommended Action

Alternative 1 above.

Edward R. James
City Manager

Prepared by: Helen Bean
Economic Development/
Redevelopment Manager

Attachments:
Attachment 1 – Bid Analysis Sheet
Attachment 2 – Construction Bid*
Attachment 3 – Construction Contract

(*Not Available Electronically)