
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: March 3, 2005

SUBJECT: 900 South, Main Street to 900 West
Reconstruction Special Improvement
District (SID), Job No. 102004
Acceptance of construction bids and
authorization to award construction contract

AFFECTED COUNCIL DISTRICTS: 2, 4, and 5

STAFF REPORT BY: Jan Aramaki, Constituent Liaison/Policy Analyst

ADMINISTRATIVE DEPT.
AND CONTACT PERSON: Department of Public Services
John Naser

FILE LOCATIONS: Public Services/900 South, Main Street
to 900 West SID, Job 102004

NEW INFORMATION:

On March 1, 2005, the City Council adopted a resolution to create Special Improvement District 900 South, Main Street to 900 West Reconstruction, Job. No. 102004. According to the Administration, the bid opening to award the contract to the best bidder took place on March 2, 2005 and the contract was awarded to Staker Parsons Company at the low bid of \$3,949,634, lower than the anticipated cost projected by Engineering of \$4,408,665. Therefore, the next step for the Council's consideration is to adopt a resolution accepting bids for construction work and authorizing execution of a contract to the lowest bidder for the 900 South, Main Street to 900 West SID No. 102004.

Upcoming action before the City Council will include:

- Resolution appointing a Board of Equalization and setting the date for the Board of Equalization hearing.
- Ordinance confirming the assessment rolls and levying assessments.
- Resolution authorizing the issuance and providing the sale of bonds.

POTENTIAL MOTIONS:

1. ["I move that the Council"] Adopt a resolution conditionally accepting bids for purchasing of materials and construction work and, subject to approval of the City Engineer, authorizing execution of a contract for construction contract with the apparent responsive bidder for construction of improvements within the Salt Lake City, Utah 900 South, Main Street to 900 West, street improvements Special Improvement District No. 102004 (The "District"); providing for construction of improvements consisting of the installation of concrete sidewalks, sidewalk access ramps, driveways, curb, gutter, roadway pavement, street lighting, traffic signals, drainage facilities and landscaping (collectively, the "Improvements") and all other miscellaneous work necessary to complete the improvements in a proper workmanlike manner; all other miscellaneous work necessary to complete the improvements; for issuance of interim warrants and for the addition of the interest thereon to accessible costs and related matters.

The Council can just say "I move we adopt the resolution"

2. ["I move that the Council"] Not adopt a resolution.

The following information was provided previously. It is provided again for Council's reference.

KEY ELEMENTS: (Resolution)

As the first step in creating the process to establish the Special Improvement District (SID), the Administration requested that the Council adopt a resolution declaring the Notice of Intention and set the protest hearing date for February 8, 2005. SID boundary includes all property fronting or abutting on both sides of 900 South from Main Street to 900 West. The Engineering Division has identified 72 parcels as part of the proposed SID, however some property owners own more than one parcel, therefore approximately 50 property owners will be involved with the proposed SID. All properties are commercial with the exception of a couple of residential rentals.

The Notice of Intention states that "the District involves the reconstruction of 900 South from Main Street to 900 West Street. The proposed improvements include the reconstruction of the roadway pavement, installation of concrete curb and gutter, sidewalks, driveway approaches, street lighting, traffic signals, drainage facilities, and landscaping from Main Street to 700 West Street and the rehabilitation of the roadway pavement and street lighting of 900 South Street from 700 West Street to 900 West Street." The Administration's paperwork indicates that the project proposes to widen 900 West to 84 feet, provide either parallel or 45 degree parking, utilize two travel lanes in each direction from Main to 300 West and a single lane from 300 West to 900 West, and provide a continuous left turn lane. From Main to 300 West, paved cutback angle parking installation will take place in areas where it presently exists. In areas where cutback parking currently exists, improvements can be made if the abutting property owner agrees to pay for the improvement. A detailed description of improvements

anticipated for each section of the SID is broken down on pages 4 to 7 of the Resolution for Council's review.

Depending upon the nature of the improvements, costs will be assessed by front foot (lot width) of abutting property and optional improvement costs will be assessed by square foot of improved area. Due to the variety of improvements and the difference in the size of areas to be improved, the Administration states it is not feasible to determine assessment rates solely on a front foot basis to each individual parcel to be assessed. Each property owner will receive information with the Notice of Intention of an estimated assessment calculation made by the City Engineer's Office.

In keeping with City policy, areas of the proposed SID that currently lack sidewalks, curb and gutter will be assessed a cost of 100 percent of the actual costs. Also, property owners are provided the option to have additional work performed in conjunction with the proposed SID improvements, with the property owner being responsible for costs such as: angle parking, installation of landscaping (sod, trees, and an irrigation system connected to property owner's water supply) in new park strip areas, and drive approaches. The City's cost for the new park strips includes grading with topsoil for the owner to complete their own landscaping.

Following Council's approval of the attached resolution, a letter will be sent to property owners within the boundary areas of the proposed SID notifying property owners that the City is considering a proposed SID for reconstruction of 900 South from Main Street to 900 West.

It is projected that the project may begin in April with completion by October 2005. The Administration states construction will be planned accordingly to minimize disruption and inconvenience to business owners and pedestrians.

CHRONOLOGY:

- January 4, 2005: The City Council received a briefing and adopted a resolution declaring the intention of the City to construct improvements within the City consisting of the installation of concrete sidewalks, sidewalk access ramps, driveways, roadway pavement, curb, gutter, street lighting, traffic signals, and landscaping and all other miscellaneous work necessary to complete the improvements in a proper and workmanlike manner; to create the Salt Lake City, Utah 900 South, Main Street to 900 West, Street improvements Special Improvement District No. 102004; to pay the acquisition and installation costs and expenses by special assessments to be levied against the property benefited by such improvements; to provide Notice of Intention to authorize such improvements and to fix a time and place for protests against such improvements, assessments or the creation of the District; to declare its official intent to reimburse itself for expenditures paid by it prior to the sale of bonds; and to authorize advertisement of construction bids and related matters; and setting the date for a public protest hearing.

At the briefing, the following concerns and/or expressed interests were made by Council Members:

1. A suggestion was made to modify the Notice of Intention letter with the intent to ensure the letter clearly reflected the improvements the property owners were being assessed for. *The Administration revised the letter.*
 2. Request that the City address any concerns with the property that RDA owns a portion of before the SID progresses. *Engineering has discussed concerns with RDA and will install parallel parking near the TRAX station. Angle parking can be installed at a later point if needed.*
 3. Expressed interest that good quality topsoil is used in the park strips. *Engineering has confirmed that fertile soil will be used that will meet City standards.*
 4. Question asked if the bonus incentive is somewhat standardized project to project. *According to the Engineering Division, the bonus will be based upon a questionnaire that will be sent to every business and property owner asking them to rate the contractor on a point system basis. Example questions such as: overall how well did the contractor do in performing the work, how well did the contractor treat the businesses, how well was access addressed during construction, and how well did the contractor address concerns? Results from the questionnaire will determine the amount of the bonus that is given to the contractor, if a bonus is given. Dependent upon the outcome of this particular bonus, a Council Member remarked that the Engineering Division may wish to standardize the bonus.*
- February 2, 2005: Informal public meetings were scheduled for the Administration to review the proposed SID with interested abutting property owners. The meeting location was held at the Sunday Anderson Center, 900 West and 900 South, from 3:00 p.m. to 4:00 p.m. and from 5:00 p.m. to 6:00 p.m.
 - February 7, 2005: Written protests against the proposed improvements, assessments or against the creation of the District were to be presented and filed in the Office of the City Record on or before 5:00 p.m. No written protests were filed.
 - February 8, 2005: Council protest hearing at 7:00 p.m. and there were no protests. In order for the District to be created, the protest rate must be less than 50 percent of the property owners who submitted written protests to the City Recorder by the February 7th deadline. The Administration reports there were also no protests filed at the Recorder's Office.
 - March 1, 2005: Council adopted a resolution to create the district.
 - March 2, 2005: bid opening to award the contract to the best bidder.

BUDGET RELATED FACTS:

The City Engineer has estimated that the total cost of improvements in the proposed District is \$5,380,982. It is anticipated the City’s portion will be approximately \$4,997,157. The property owners’ portion is estimated to be approximately \$383,825 (includes construction costs, a portion of engineering expenses, possibly a portion for debt issuance, a ten percent allowance for interest on interim warrants issued to finance construction of the improvements and 15 percent for administrative costs). The Engineering Division is requesting a larger budget than the current estimate for the property owners’ portion because actual costs depend on optional improvements that property owners may or may not desire and because actual costs are not known until bids are received and awarded. The Engineering Division has requested a budget for the property owners’ assessments of \$430,000 (\$300,000 previously approved by the Council and \$130,000 that was approved by the Council as part of Budget Amendment #4).

Estimated breakdown costs to property owners are as follows:

Rate No.	Improvements	Estimated Unit Costs	Estimated Cost to Property Owners
1	Curb and gutter	\$23.93 per lineal foot	\$136,209
2	6’ wide sidewalk	\$34.28 per lineal foot*	109,284
3	Optional 8” thick concrete driveway approach	\$7.66 per square foot*	66,948
4	Optional Park Strip Landscaping	\$2.04 per square foot	\$ 71,384
Property Owners’ Total Estimated Assessment			\$383,825

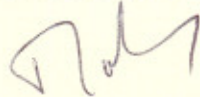
*Due to the variation in widths of the parking strip areas, the estimated cost per square foot applies to the area to be improved, not the front footage to be assessed.


The majority of City funding sources are allocated from the General Fund, Class “C” road funds; the Redevelopment Agency (RDA) will fund the street lights on 900 South from 700 West to 900 West Streets (based upon the preliminary design of the street lights, the Administration reports that the estimated operation and maintenance cost for the City will be approximately \$750 per month); and \$100,000 from Public Utilities will fund drainage, water and sewer improvements. The remaining costs of the improvements shall be paid by a special assessment to be levied against the property fronting or abutting upon or adjacent to the improvements. It is anticipated that the first payment of an assessment installment may be less than one year from the date the Council adopts the assessment ordinance; thereafter approximately ten assessment installments will fall on the anniversary date of the first assessment payment, rather than five years as is calculated for concrete replacement SIDs.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:


1. According to the Engineering Division, there are limited areas of sidewalk that require replacement; however it is reported by Engineering that sections of sidewalk that require replacement are absorbed into the City's cost because the City is required to address ADA standards as part of the reconstruction. However, areas of the proposed SID that currently have no sidewalks will be assessed 100% of costs. The Administration has been asked by the Council to provide sometime in the near future a City-wide concrete replacement briefing, at which time the Council may be interested in a policy discussion relating to City costs associated with concrete replacement projects. The Council may wish to ask for written information about the standards that will be followed to address ADA concrete replacement for this project.
2. It was noted by representatives of the Engineering Division in a meeting with Council Members Saxton and Turner that a bonus will be available to the contractor for establishing a good working relationship with business and property owners. It is Council staff's understanding that the bonus will be awarded based on a survey completed by business and property owners at completion of the project. The Council may wish to request additional information relating to the contractor's bonus.

CC: Cindy Gust-Jenson, Sam Guevara, Rocky Fluhart, Rick Graham, David Oka, Ed Rutan, Louis Zunguze, Gary Mumford, Dan Mulé, Valda Tarbet, Tim Harpst, Max Peterson, John Naser, Gordon Haight, Kurt Larson, Diana Karrenberg, Marge Harvey, Barry Esham, Sylvia Jones, Gwen Springmeyer, Lehua Weaver, Annette Daley, Chris Bramhall, Boyd Ferguson, Karen Carruthers, Garth Limburg, and Jennifer Bruno

TO: ROCKY FLUHART,  **DATE:** February 15, 2005
CHIEF ADMINISTRATIVE OFFICER

FROM: Rick Graham, Director 
Public Service Department

SUBJECT: Acceptance of construction bids and authorization to award construction contract for the 900 South, Main Street to 900 West Reconstruction Special Improvement District, Job No. 102004

STAFF CONTACT: John Naser, P.E.  535-6240

DOCUMENT TYPE: Resolution

RECOMMENDATION: Council to award the contract to the lowest bidder for Special Improvement District 900 South, Main Street to 900 West Reconstruction, Job No. 102004.

BUDGET IMPACT: Monies are provided from the Salt Lake City Capital Improvement budget, Redevelopment Agency, Public Utility Department, and property owner assessments through the Special Improvement District.

BACKGROUND AND DISCUSSION: The 900 South project involves the reconstruction of the roadway. The improvements include 84 foot wide asphalt pavement, curb and gutters, sidewalks, street lighting, park strip landscaping and upgraded traffic signals at Main Street, 300 West and 900 West. The project extends from Main Street to 900 West. The project is being coordinated with Public Utilities storm drain improvement presently being installed.

Construction of the projects is scheduled to start in May of 2005 with completion by Fall 2005.

Attached is an information sheet.

PUBLIC PROCESS:

cc: Vault

INFORMATION SHEET
900 SOUTH, MAIN STREET TO 900 WEST
SPECIAL IMPROVEMENT DISTRICT
JOB No. 102004

DESCRIPTION OF IMPROVEMENTS:

The 900 South Special Improvement District involves the reconstruction of the roadway from Main Street to 900 West. The project includes 84 feet wide asphalt pavement, curb and gutter, sidewalks, driveway approaches, cutback angle parking, park strip landscaping, street lighting and traffic signal upgrades. The roadway width allows for two travel lanes each way and parallel parking from Main to 300 West then one lane each direction with angle parking to 900 West. The project is closely coordinated with Public Utilities storm drain project presently under construction.

The project is scheduled to start in April with completion by October 2005. The construction will be phased so disruption and inconvenience to the property owners, pedestrians and traffic will be minimal.

AVAILABILITY OF FUNDS

Funding for the project available from the General Fund, "C: road funds, the Redevelopment Agency, Public Utilities storm drainage fees and property owner assessments through the Special Improvement District.

SUMMARY OF PROTESTS

No protests for the Special Improvement District were received.

Salt Lake City, Utah

March 8, 2005

A regular meeting of the City Council of Salt Lake City, Salt Lake County, Utah, was held on Tuesday, the 8th day of March, 2005 at the hour of 7:00 p.m., at the offices of the City Council at 451 South State Street, Salt Lake City, Utah, at which meeting there were present and answering roll call the following members who constituted a quorum:

Dale Lambert	Chair
Nancy Saxton	Vice Chair
K. Eric Jergensen	Councilmember
Carlton Christensen	Councilmember
Van Blair Turner	Councilmember
David L. Buhler	Councilmember
Jill Remington Love	Councilmember

Also present:

Ross C. Anderson	Mayor
Edwin P. Rutan, II	City Attorney
	Deputy City Recorder

Absent:

Thereupon the following proceedings, among others, were duly had and taken.

A Notice to Contractors calling for bids for construction of improvements contemplated to be made in the District was published in the Deseret Morning News, a newspaper having general circulation in the City, at least one time at least fifteen (15) days prior to the date specified in such notice for the receipt of bids. An affidavit of publication is on file or will be obtained by the City Recorder.

At a public meeting conducted in Room 315 of the City and County Building, 451 South State Street, Salt Lake City, Utah, by staff members of the City Recorder's and City Engineer's Offices on the ___ day of _____ 2005, at ____ p.m., bids were opened for the construction of improvements contemplated to be made in the Salt Lake City, Utah 900 South, Main Street to 900 West, Street Improvements Special Improvement District No. 102004 (the "District"). The City Engineer's Office has tabulated the bid results for consideration by the City Council.

Upon the reopening of the bids in open session of this council meeting, the City Council examined and declared the bids to be as tabulated as set out in Exhibit A which is attached to these proceedings. The City Council determined that: _____ was the apparent low bidder for the construction of improvements

as specified in the engineering plans for the improvements set out in the Notice of Intention. Thereupon, the following resolution was introduced in writing and Councilmember _____ moved to adopt the resolution:

RESOLUTION NO. ____ of 2005

A RESOLUTION CONDITIONALLY ACCEPTING BIDS FOR PURCHASING OF MATERIALS AND CONSTRUCTION WORK AND, SUBJECT TO APPROVAL OF THE CITY ENGINEER, AUTHORIZING EXECUTION OF A CONTRACT FOR CONSTRUCTION CONTRACT WITH THE APPARENT RESPONSIVE BIDDER FOR CONSTRUCTION OF IMPROVEMENTS WITHIN THE SALT LAKE CITY, UTAH 900 SOUTH, MAIN STREET TO 900 WEST, STREET IMPROVEMENTS SPECIAL IMPROVEMENT DISTRICT NO. 102004 (THE "DISTRICT"); PROVIDING FOR CONSTRUCTION OF IMPROVEMENTS CONSISTING OF THE INSTALLATION OF CONCRETE SIDEWALKS, SIDEWALK ACCESS RAMPS, DRIVEWAYS, CURB, GUTTER, ROADWAY PAVEMENT, STREET LIGHTING, TRAFFIC SIGNALS, DRAINAGE FACILITIES AND LANDSCAPING (COLLECTIVELY, THE "IMPROVEMENTS") AND ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS IN A PROPER WORKMANLIKE MANNER; ALL OTHER MISCELLANEOUS WORK NECESSARY TO COMPLETE THE IMPROVEMENTS; FOR ISSUANCE OF INTERIM WARRANTS AND FOR THE ADDITION OF THE INTEREST THEREON TO ASSESSABLE COSTS AND RELATED MATTERS.

BE IT RESOLVED by the City Council of Salt Lake City, Salt Lake County, Utah, the bid of \$_____, a bidder who submitted the apparent lowest and best bid for the construction of the improvements in the District is hereby conditionally accepted. This award of the construction contract is expressly subject to verification by the City Engineer of the accuracy of the bid amounts, the qualification of the lowest bidder to do business in Utah, a determination that the lowest bidder is a licensed contractor and consideration of any other factors the City Engineer may deem to be appropriate in evaluating the lowest bid and bidder. The exact amount to be paid under a construction contract memorializing the bid, acceptance, plans and specifications for the improvements, (the "Contract") shall be determined by computation of the work done based upon the unit prices as set forth in the winning bid.

If the City Engineer approves the lowest bid and bidder for the Contract, the Mayor is hereby authorized to execute the Contract between Salt Lake City and the successful bidder, which Contract may include work in addition to the improvements to be constructed within said District. If the City Engineer does not approve the lowest bid and bidder, the bid shall again be referred to the City Council for further consideration at a subsequent meeting.

Payment of progress draws under the Contract may be by interim warrants which the City intends to purchase. The issuance of interim warrants is hereby authorized. When the City Engineer has certified that the construction of the Improvements has been completed, the final interim warrant shall be for 100% of the unpaid balance then due

under the construction contract. Prior to the completion of construction, the aggregate amount of the interim warrant shall not exceed 90% of the value of completed work. Interest charges on the interim warrants shall be equal to the average yield earned by the City on its pooled money balance investments as calculated by the City Treasurer's Office. Interest accrued on the interim warrants shall be added as an assessable cost to other construction costs of the District.

The resolution was seconded by Councilmember _____ and was adopted by vote of the City Council as follows:

AYE:

NAY:

Thereupon the motion was approved by the City Council and made a matter of record by the City Recorder.

ADOPTED And APPROVED this 8th day of March, 2005.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
Deputy City Recorder

After the transaction of other business not pertinent to the foregoing matter, the meeting was on motion duly made, seconded and carried, adjourned.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
Deputy City Recorder

PRESENTATION TO THE MAYOR

The foregoing resolution was presented to the Mayor for his approval or disapproval on this ____ day of _____ 2005.

By: _____
Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing resolution is hereby approved this ____ day of _____ 2005.

By: _____
Mayor

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, _____, the duly appointed, qualified and acting Deputy City Recorder of Salt Lake City, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the record of proceedings had by the City Council of Salt Lake City, Utah, at its meeting held on the 8th day of March, 2005, insofar as the same relates to the awarding of the construction contract for the Salt Lake City, Utah 900 South, Main Street to 900 West, Street Improvements Special Improvement District No. 102004 (the "District"), as the same appears of record in my office:

(a) that I personally attended said meeting, and that the proceedings were in fact held as in said minutes specified;

(b) that due, legal and timely notice of said meeting was served upon all members as required by law and the rules and ordinances of said City; and

(c) that the above resolution was deposited in my office on the 8th day of March, 2005, has been recorded by me, and is a part of the permanent records of Salt Lake City, Utah.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the seal of said City this 8th day of March, 2005.

(SEAL)

By: _____
Deputy City Recorder

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, _____, the undersigned Deputy City Recorder of Salt Lake City, Salt Lake County, Utah, do hereby certify, according to the records of the City Council in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the 8th day of March 2005, public meeting held by the City Council as follows:

(a) By causing a Notice in the form attached hereto as Schedule 1, to be posted at the offices of the Salt Lake City Council on the 25th day of February 2005, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Deseret Morning News on the 25th day of February 2005, at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 8th day of March, 2005.

(SEAL)

By: _____
Deputy City Recorder

SCHEDULE 1

NOTICE OF MEETING

EXHIBIT A

Tabulation of Bids

Name of Bidder

Amount of Bid

[A list naming the bidders and showing the bids which were submitted is available for inspection in the office of the Salt Lake City Engineer.]