



*NOTICE AND CALL OF SPECIAL MEETING OF THE  
SANGER CITY COUNCIL*

**TO THE MEMBERS OF THE SANGER CITY COUNCIL AND TO THE CITY CLERK:**

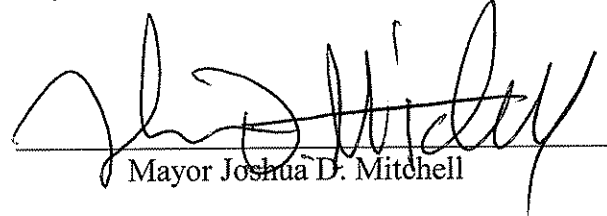
NOTICE IS HEREBY GIVEN that a special meeting of the City Council is hereby called for Thursday, October 6, 2011 commencing at 8:00 pm at the Sanger City Hall Council Chambers, 1700 7th Street, Sanger, California.

Said special meeting shall be held to consider:

**SUBJECT:** Academy Avenue Widening/Reconstruction Project from 11<sup>th</sup> Street to Church Avenue

**RECOMMENDATION:** That the City Council authorize the City Manager to negotiate an incentive payment plan with Emmett's Excavation, Inc., at a cost not to exceed \$40,000, to accelerate the construction schedule on the Academy Avenue Widening/Reconstruction Project from 11<sup>th</sup> Street to Church Avenue.

Dated: October 5, 2011

  
\_\_\_\_\_  
Mayor Joshua D. Mitchell

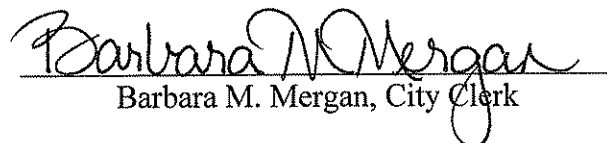
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Dated: October 5, 2011

  
\_\_\_\_\_  
Barbara M. Mergan, City Clerk



# CITY OF SANGER

## REPORT TO THE CITY COUNCIL

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**To:** Mayor and City Council  
**From:** Ronald Yamabe, City Engineer  
**Subject:** Academy Avenue Widening/Reconstruction Project from 11<sup>th</sup> St. to Church Ave.  
**Attachment:** Letter from Emmett's Excavation, Inc. dated October 4, 2011

**CONFLICT OF INTEREST:**

None

**RECOMMENDATION:**

That the City Council authorize the City Manager to negotiate an incentive payment plan with Emmett's Excavation, Inc., at a cost not to exceed \$40,000, to accelerate the construction schedule on the Academy Avenue Widening/Reconstruction Project from 11<sup>th</sup> Street to Church Avenue.

**EXECUTIVE SUMMARY:**

Staff requested that Emmett's Excavation consider and propose an accelerated construction schedule for completion of this project. Emmett's proposal is attached in their letter to Fresno County Construction Division dated October 4, 2011.

Fresno County Construction Division staff has indicated their willingness and support in implementing an accelerated construction schedule.

Staff is requesting approval on this item on such short notice because waiting until after the October 20 City Council meeting will not allow the contractor enough time to complete their work in stage one before the Thanksgiving holiday.

Prepared by: Ronald Yamabe

Approved by: \_\_\_\_\_

REVIEW: City Manager: CBH

Finance: \_\_\_\_\_

City Attorney: \_\_\_\_\_

**TYPE OF ITEM:**

**COUNCIL ACTION:  APPROVED  DENIED  NO ACTION**

- \_\_\_ Consent
- \_\_\_ Info Item
- \_\_\_ Action Item
- \_\_\_ Department Report
- \_\_\_ Redevelopment Agency

- \_\_\_ Public Hearing
- \_\_\_ Matter Initiated by a Council Member
- \_\_\_ Other
- \_\_\_ Continued to: \_\_\_\_\_

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## **BACKGROUND:**

As City Council is aware, the construction work on the Academy Avenue Widening/Reconstruction Project is posing a financial hardship on all businesses located on Academy Avenue between Annadale and Church Avenues. City staff and City Council desires to accelerate the completion of work on this project to the extent possible.

Emmett's revised construction schedule is a two-stage proposal with an incentive bonus of \$2,000.00 per working day for every day they substantially complete the project ahead of the approved construction schedule.

The first stage is the section between 11<sup>th</sup> Street and Jensen Avenue. They indicate that they can complete all work, except the traffic signals and traffic loop detectors at 7<sup>th</sup> and 9<sup>th</sup>, pavement striping and markings, second lift of asphalt paving and the raising of manhole and water valve covers to finish grade by November 10, instead of December 1. This will result in this section of Academy Avenue having four lanes of paving, concrete curbs, gutters and sidewalk, raised concrete median islands with landscaping between 11<sup>th</sup> and 8<sup>th</sup> Streets.

The second stage is the section between Jensen and Church Avenues. They are proposing that their incentive bonus for this section be contingent upon their accelerating and completing the total project, including the uncompleted work in stage one. The current approved construction completion date is April 10, 2011. If heavy rains are encountered this winter, an accelerated construction schedule may not be beneficial to the City.

Excluding any extra working days allowed for unforeseen circumstances, the City Manager will negotiate the incentive bonus for this phase, with contingencies for rain delays, and the total bonus for both stages not to exceed \$40,000.

## **REASON FOR RECOMMENDATION:**

Staff is recommending the accelerated construction schedule in order to minimize the financial impact to the businesses along and adjacent to Academy Avenue, the inconvenience and hazards to motorists and pedestrians traveling Academy Avenue and to lessen the impact from impending rains. The major part of the construction, within the downtown area, will be completed before the Thanksgiving and Christmas holidays.

## **FISCAL IMPACT:**

The financial hardship faced by the businesses along and adjacent to Academy Avenue directly impact sales tax revenues collected by the City. Currently 11 of the top 25 sales tax contributors are located on Academy Avenue. The funds requested are available in Measure C and Article 8 funds.

## **ALTERNATIVES:**

If the City Council does not approve staff's recommendation, the construction schedule will remain as currently approved with a project completion date of April 10, 2012.

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**ACTIONS FOLLOWING APPROVAL:**

The City Manager will negotiate the acceleration schedule and incentive bonus, not to exceed \$40,000, with Emmett's Excavation, Inc.

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## Emmett's Excavation, Inc.

1477 Menlo  
Clovis, CA 93612

Phone: (559)299-1256  
Fax: (559)299-0281

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10/04/2011

No. 4

County of Fresno, Construction Division  
Department of Public Works and Planning  
2220 Tulare Street, 7th Floor  
Fresno, CA 93721  
Phone:559/262-4154 Fax:559/262-4485

**Attn:** Mandeep Sekhon

**Project:** 11-106 Academy Avenue 11-10-C  
Academy Avenue 11-10-C

**Contract/PO #:** 11-10-C

**Re:** Accelerated Schedule

**Job #:** 11-106

Dear Mr. Sekhon:

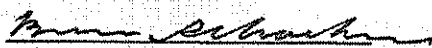
As requested by the City of Sanger, we propose a revised schedule that shows an accelerated completion date for the west side of Stage One and Stage Two construction. This schedule indicates a gain of 12 days for substantial completion of Stage Two is possible. However, in order to achieve this, Stage One and Stage Two must be worked concurrently, and the work day hours of construction will also have to be increased to 10 hour days.

We propose to accelerate the work based on an incentive, payable to Emmett's, calculated on every day we complete the work of Stage Two ahead of the approved modified schedule completion date of December 1, 2011, adjusted for excusable delays as defined in our Agreement. The work in Stage Two will be considered complete when we are able to open traffic up to four lanes of traffic from south of 11th Street to Jensen Avenue and the sidewalk open to pedestrians on the west side of Academy Ave. For this revision, we are requesting \$2,000.00 per day incentive for every day we are ahead of the current Stage Two scheduled completion date.

Also, per the city's request, we are proposing to accelerate the overall contract completion date. We request that construction of Stage Three on the west side be allowed to start immediately. By granting this change, Stage Three will be constructed concurrently with the revised Stage One and will reduce the overall contract time. There is only one driveway on the west side in Stage Three. This driveway will be constructed in 3 days and then open to the public.

We request that the incentive for Stage 3 acceleration be considered under the same terms as the incentive for the acceleration of Stage Two. However, completion of the entire contract, excluding Plant Maintenance Period, will be the milestone.

Sincerely,



Bruce Shumacher