

Draft MEETING MINUTES CITY OF MILPITAS

Minutes of: Regular Meeting of the Milpitas Redevelopment Agency
(Including Joint Meeting with the City Council)

Date: Tuesday, March 3, 2009

Time: 7:00 PM

Location: Milpitas City Hall Council Chambers, 455 E. Calaveras Blvd.

JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING

RA 1. CALL TO ORDER Mayor/Agency Chair Livengood called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 7:36 PM.

ROLL CALL **PRESENT:** Chair/Mayor Livengood, Vice Chair/Vice Mayor McHugh, Agency/Councilmembers Giordano, Gomez and Polanski

ABSENT: None

RA 2. Meeting Minutes Motion: to approve the meeting minutes of the Redevelopment Agency meeting of February 17, 2009

Motion/Second: Agency/Councilmember Polanski/ Agency/Councilmember Giordano

Motion carried by a vote of: AYES: 5
NOES: 0

RA 3. Agenda Approval and Consent Calendar Motion: to approve the agenda and consent calendar items (*), as submitted

Motion/Second: Agency/Councilmember Giordano/ Agency/Councilmember Polanski

Motion carried by a vote of: AYES: 5
NOES: 0

RA 4. Application for Federal Stimulus Program funds

City Engineer Greg Armendariz reviewed the status of federal funding opportunities that the City of Milpitas would pursue including federal stimulus funds, American Recovery and Reinvestment Act funds, STIP grants, and others including the State Drinking Water Revolving Loan Program and other water funding programs, and Department of Energy funds for solar panels possibly. He next discussed elements of the South Park Victoria Drive street repaving project, prepared to be done in the spring.

Councilmember Gomez asked staff about funds, and what about money that passed through the state (Caltrans). Mr. Armendariz responded that it was all earmarked and the City had no problems in the past with receipt of funds received from the state.

Motion: to receive the staff report on Federal Economic Stimulus Program for city infrastructure; and, adopt Resolution No. RA 324 authorizing staff to file an application for American Recovery and Reinvestment Act funding for the South Park Victoria Drive Street Pavement Rehabilitation Project No. 8194.

Motion/Second: Vice Chair/Vice Mayor McHugh / Agency/Councilmember Giordano

Motion carried by a vote of: AYES: 5
NOES: 0

**RA 5. Senior Center Project
Award of Bid**

City Engineer Greg Armendariz described the new Senior Center project, the next steps, and reviewed the design drawings for the old library to become the new facility with a total of 21,795 square feet.

He reviewed the January 27, 2009 bid opening of eight bids received for the project. He reviewed the outcome and provided rationale for why staff determined that the apparent low bidder did not comply with all requirements of the bid. \$6,579,031 was the bid amount from Swenson, including the four add alternate items (which totaled \$40,500).

Mayor Livengood asked the engineer's estimate (\$9,851,986) and noted the savings of nearly \$3 million in the bid versus the estimate. The Mayor inquired if the project would qualify for federal stimulus package funding. Mr. Armendariz said he did not believe so, since this project was only at the bid award stage.

Councilmember Gomez commented that in fact there were no real "savings" until the project was built, with which staff concurred.

Councilmember Giordano asked when a bid came in and the total amount was done correctly, and when it seemed only minor things were not right, would a bidder get the chance to correct errors. Staff responded no. Minor irregularities construed could be waived by the City Council, but in this case there were three of those.

Councilmember Polanski noted that the Council/Agency was not required to accept the low bid and could accept the lowest responsible bidder. Staff confirmed that the City looked for the responsive and responsible bidder. She was very pleased with how staff was going about the project. It was especially nice to find a project that would start out costing less than the City thought it would.

Mayor Livengood next asked for speakers on this item.

Speaker:

A man, a Milpitas resident, stated that it was nice to see the City receive a bid under estimate. He also asked if the cost (bid amount) was cast in stone.

Mayor Livengood responded to him that the contractor agreed at that price for the work, and the City Council could make changes as the project went along.

City Attorney Ogaz asked the City Council to include in any motion the exact amount of the bid award, for clarification.

(1) Motion: to receive the staff report on the Senior Center Project, reject the apparent low bid from C. Overaa & Co. and award the construction contract including four add alternate items to Swenson & Associates for the new Milpitas Senior Center, Project No. 8176, in the amount of \$6,579,031

Motion/Second: Vice Chair/Vice Mayor McHugh / Agency/Councilmember Giordano

Motion carried by a vote of: AYES: 5
NOES: 0

(2) Motion: to authorize staff to execute change orders for the Senior Center Project No. 8176, provided that change orders do not exceed the established construction contingency amount up to \$1,750,000

