

From: [Tin-Wah Wong](#)
To: [Tim Kerr](#)
Cc: [Gary Hyden](#); [Sheryl Patterson](#); [Camille Wise](#)
Subject: RE: Sutter's Landing Invoice
Date: Thursday, March 1, 2018 3:26:42 PM

Tim,

I reviewed the invoices associated with the trail grading work with Gary and we found that the trail grading work completed by the contractor was \$43,756.77 over the ARFCD's agreed amount.

The total cost for the final trail regrading work by the contractor is \$210,000.
The agreed amount for the trail grading work by ARFCD is \$166,243.23.

ARFCD will not be compensated since the City spent an additional \$43,756.77 to complete the final trail regrading work.

I will provide you with an official letter soon.

Thank you.

Cordially,
Tin-Wah Wong
Associate Landscape Architect
City of Sacramento
Department of Youth, Parks and Community Enrichment
Landscape Architecture Section
915 I Street, 3rd Floor
Sacramento, CA 95814
Phone: (916) 808-5540

From: Tim Kerr [mailto:tkerr@arfcd.org]
Sent: Monday, February 12, 2018 4:00 PM
To: Tin-Wah Wong <TWong@cityofsacramento.org>
Subject: RE: Sutter's Landing Invoice

Thank you Tin-Wah.

Tim

Tim Kerr, P.E.
General Manager
American River Flood Control District
Office 916.929.4006
Fax 916.929.4160
Cell 916.417.4161

From: Tin-Wah Wong [<mailto:TWong@cityofsacramento.org>]
Sent: Monday, February 12, 2018 2:49 PM
To: Tim Kerr <tkerr@arfed.org>
Cc: Gary Hyden <GHyden@cityofsacramento.org>
Subject: RE: Sutter's Landing Invoice

Hi Tim,

I will have an answer to you by the end of the week.

Thank you.

Cordially,
Tin-Wah Wong
Associate Landscape Architect
City of Sacramento
Department of Youth, Parks and Community Enrichment
Landscape Architecture Section
915 I Street, 3rd Floor
Sacramento, CA 95814
Phone: (916) 808-5540

From: Tim Kerr [<mailto:tkerr@arfed.org>]
Sent: Monday, February 12, 2018 1:58 PM
To: Tin-Wah Wong <TWong@cityofsacramento.org>
Subject: FW: Sutter's Landing Invoice

Hi Tin-Wah,
Have you had a chance to look into this invoice payment? Thanks for your help,
Tim

Tim Kerr, P.E.
General Manager
American River Flood Control District
Office 916.929.4006
Fax 916.929.4160
Cell 916.417.4161

From: Tim Kerr
Sent: Monday, January 22, 2018 9:52 AM
To: Tin-Wah Wong <TWong@cityofsacramento.org>
Cc: Malane Chapman (Malane@arfed.org) <Malane@arfed.org>
Subject: Sutter's Landing Invoice

Hi Tin-Wah,
Now that the Sutter's Landing Trail project is complete, I would like to submit our invoice for our portion of the work per the Agreement. Here is the original invoice submitted in January 2016. I you prefer, I can provide an invoice with the updated dates but the cost numbers have not changed.

Thanks for your help,
Tim

Tim Kerr, P.E.
General Manager
American River Flood Control District
Office 916.929.4006
Fax 916.929.4160
Cell 916.417.4161

Sutter's Landing Park - American River Parkway Enhancements

L19-1672-00

2/2/2018

ARFCD Trail Grading Work	\$166,243.23
City Survey of Trail Grading Work by ARFCD	- \$6,664.00
Revised Grading Plan by Mark Thomas-Civil Eng	- \$28,826.00
City Survey (Grade Setting/Staking of Ramp and Trail by ARFCD)	- \$7,980.00
BRCO-Contractor Trail Grading	- \$210,000.00
	-\$87,226.77



165 Commerce Circle, Suite D
Sacramento, CA 95815
voice (916) 929-4006
fax (916) 929-4160
www.arfcd.org

Board of Trustees
Karolyn W. Simon
Brian F. Holloway
William J. Pavão
Cyril A. Shah
Bettina C. Redway

General Manager
Timothy R. Kerr, P.E.

Invoice

Date	Invoice #
1/14/2016	2016-01

Bill To
City of Sacramento Dept of Parks and Recreation 915 I Street, 3rd Floor Sacramento, CA 95814

Due Date
2/29/2016

Item	Description	Qty	Rate	Amount
Sutter's Landing Trail Augment	Exhibit attached for breakdown of expenses	1	166,243.23	166,243.23

	Total	\$166,243.23
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Exhibit

**American River Flood Control District
Sutter's Landing Trail Costs**

Engineering	Mead & Hunt	\$	20,376.73
	Kleinfelder	\$	8,612.90
Environmental	Miriam Green Associates	\$	1,413.02
Legal	Downey Brand	\$	13,828.50
Rental	Budget Car Rental	\$	784.73
	Blue Line Rental	\$	3,827.52
	Neff Rental	\$	6,487.72
Materials	Bell Marine Co.	\$	18,963.24
	White Cap	\$	2,283.44
Fuel	Hunt & Sons	\$	2,272.74
Disposal	L and D Landfill	\$	4,124.40
Subtotal Services & Supplies		<u>\$</u>	<u>82,974.94</u>
Labor			
Operations & Maintenance		\$	40,680.99
Administrative		\$	2,892.10
General Manager		\$	39,695.20
Subtotal Labor		<u>\$</u>	<u>83,268.29</u>
TOTAL			<u><u>166,243.23</u></u>



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Board of Trustees
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General Manager
Timothy R. Kerr, P.E.

January 14, 2016

City of Sacramento
Department of Parks and Recreation
Attn: Mr. Gary Hyden
915 I Street, 3rd Floor
Sacramento, CA 95814

Dear Gary,

Per our conversation, I am forwarding you an invoice for the expenses incurred by the American River Flood Control District to augment the Sutter's Landing Trail and Ramp.

Enclosed is our invoice for your review and approval. Please feel free to contact me at (916) 929-4006 if you have any questions or concerns.

Sincerely,

Tim Kerr
General Manager

Enclosures (2)

City of
SACRAMENTO
Parks and Recreation

SCOPE OF CONSTRUCTION SURVEY SERVICES REQUIREMENTS
COVER PAGE FOR

Project Name: Sutter's Landing Park American River Parkway Enhancements Lower Trail

1. See the Public Works Survey Request form for specific project agreement requirements.
2. Project information are as follows:

DPR Project Manager:	Tin-Wah Wong
DPW Survey Party Chief:	Jimmy Byrum
Construction Cost:	\$150,000
Services Budget in Dollars:	\$6,664
Services Budget in 2-Person Crew Hours:	
Capital Improvement Project Number:	TBD
Estimated Start Date:	4-28-16
Estimated Completion Date:	4-28-16
Additional Tasks & Requirements:	

Public Works:

Frank Re
Supervising Land Surveyor

5-9-16
Date

Department of Parks and Recreation:

C. Hayden
Supervising Landscape Architect

4/27/16
Date

SUPPLEMENTAL AGREEMENT- CITY MANAGER APPROVAL

Project Title and Job Number: Sutter's Landing Park-American River Parkway Enhancements, L19-1672-00

Date: 1-14-16

Purchase Order #: 23827

Supplemental Agreement No.: 5

The City of Sacramento ("City") and **H.T. Harvey and Associates** ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number **C2014-0321**, including any and all prior supplemental agreements modifying said agreement (said agreement and supplemental agreements, are hereafter collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

1. The scope of Services specified in Exhibit A of the Agreement is amended as follows:
Additional design services task to include the preparation of revised contour grading plans/cross section profiles for the proposed multi-use trail including field survey and project specific aerial photo. Revised planned completion date for the study is March 31, 2016.

2. In consideration of the additional and/or revised services described in section 1, above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement for payment of Contractor's fees and expenses, is **increased by \$28,826.00** and said maximum not-to-exceed amount is amended as follows:

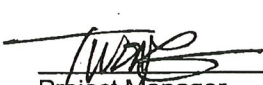
Agreement's original not-to-exceed amount :	\$ 232,340.00
Net change by previous supplemental agreements:	\$ 118,487.00
Not-to-exceed amount prior to this supplemental agreement:	\$ 350,827.00
Increase by this supplemental agreement:	\$ 28,826.00
New not-to exceed amount including all supplemental agreements:	\$ 379,653.00

3. Contractor agrees that the amount of increase or decrease in the not-to-exceed amount specified in section 2, above, shall constitute full compensation for the additional and/or revised services specified in section 1, above, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised services, including costs associated with any changes and/or delays in work schedules or in the performance of other services or work by Contractor .

4. Contractor warrants and represents that the person or persons executing this supplemental agreement on behalf of Contractor has or have been duly authorized by Contractor to sign this supplemental agreement and bind Contractor to the terms hereof.

5. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect, and Contractor shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

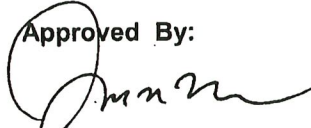
Approval Recommended By:


Project Manager 1/14/16
Date

Approved As To Form By:


Senior Deputy City Attorney
Date

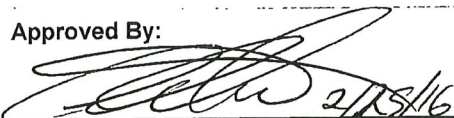
Approved By:


Contractor Name/Title 1/19/16
Date
Joseph M. Howard principal

Attested To By:


City Clerk
Date

Approved By:


Christopher C. Conlin, Director 2/25/16
Date
for John Shirey, City Manager

2014-0321-5
With: H.T. Harvey and Associates
Title: Sutters Landing Park American

City of
SACRAMENTO
Parks and Recreation

SCOPE OF CONSTRUCTION SURVEY SERVICES REQUIREMENTS
COVER PAGE FOR

Sutter's Landing Park American River Parkway Enhancements Lower Trail

Project Name: (Additional Services)

1. See the Public Works Survey Request form for specific project agreement requirements.
2. Project information are as follows:

DPR Project Manager:	Tin-Wah Wong
DPW Survey Party Chief:	Jimmy Byrum
Construction Cost:	\$150,000
Services Budget in Dollars:	\$7,980
Services Budget in 2-Person Crew Hours:	
Capital Improvement Project Number:	L19-1672-01
Estimated Start Date:	5-9-16
Estimated Completion Date:	5-20-16
Additional Tasks & Requirements:	Assistance as requested by ARFCD for grade setting ramp sections and remaining trail per the attached email from Jimmy Byrum.

Public Works: *Faith Reel* 5-19-16
Supervising Land Surveyor *Date*

Department of Parks and Recreation: *CC Hayden* 5/19/16
Supervising Landscape Architect *Date*

CITY OF SACRAMENTO
 Department of Parks and Recreation
 Park Planning and Development Services

Bid Proposal
 Page 1 of 5

CONTRACTOR NAME: BRCO Constructors, Inc.

TO THE HONORABLE CITY COUNCIL
 SACRAMENTO, CALIFORNIA:

In compliance with the Contract Documents, the undersigned hereby proposes to furnish all required labor, materials, supervision, transportation, equipment, services, taxes and incidentals required for:

**BID PROPOSAL
 AMERICAN RIVER PARKWAY ENHANCEMENTS
 at SUTTER'S LANDING PARK
 (L19167200)**

in the City and County of Sacramento, California.

The Work is to be done in strict conformity with the Contract Documents now on file in the Office of the City Clerk, for the following sum:

Item No.	Item	Estimated Quantity	Unit	Unit Price	Total
1.	Trail Grading As Shown on Sheets 1-7 Dated 06/25/2015	1	LS	\$ 210 000	\$ 210 000
2.	City Building Permit Inspection Coordination	1	LS	\$ 1,000.00	\$ 1,000.00
3.	Temporary Construction Fence	1	LS	\$ 3500	\$ 3500
4.	Temporary Fence (Type ESA)	1	LS	\$ 7000	\$ 7000
5.	Habitat Protection Temporary Fencing	1	LS	\$ 7500	\$ 7500
6.	Site Clearing and Grubbing	1	LS	\$ 30000	\$ 30000
7.	Salvage and Demolition	1	LS	\$ 20 000	\$ 20 000
8.	Site Staking	1	LS	\$ 5500	\$ 5500
9.	Erosion and Sediment Control for Sites 1 Acre and Over	1	LS	\$ 35000 85000 ^{min.}	\$ 35000 85000 ^{min.}
10.	Site Grading (at Trailhead)	1	LS	\$ 15000	\$ 15000
11.	Roof Drain Assembly Modification	1	LS	\$ 3000	\$ 3000
12.	Electrical System	1	LS	\$ 3000	\$ 3000
13.	Aggregate Base	1	LS	\$ 75 000	\$ 75 000

SECOND AMENDMENT TO OPERATION AND MAINTENANCE
AGREEMENT FOR TWO RIVERS TRAIL - PHASE II

THIS SECOND AMENDMENT (the "Amendment") is made as of February 12, 2016, by and between the CITY OF SACRAMENTO ("City") and the AMERICAN RIVER FLOOD CONTROL DISTRICT ("ARFCD").

RECITALS

WHEREAS, on April 4, 2006, the City and ARFCD entered into the Agreement for the Operation and Maintenance of Two Rivers Trail (City Agreement No. 2006-0324), the "Principal Agreement," which allowed for ARFCD to issue an easement or permit to City for the purpose of "constructing, operating, maintaining, repairing, rehabilitating, and replacing" a paved recreational trail on the south American River levee which is managed and maintained by ARFCD. Pursuant to the Principal Agreement, City paved this trail, known as the Two Rivers Trail, which extends from the confluence of the Sacramento River along the American River eastward to Hwy 160.

WHEREAS, on May 5, 2015, City and ARFCD entered into the First Amendment to the Agreement for the Operation and Maintenance of Two Rivers Trail to allow for implementation of the second phase of the Two Rivers Trail project to extend the trail eastward along the south American River levee from Sutter's Landing Regional Park to within 100 feet from the western side of the existing railroad bridge. Under the terms of the First Amendment, ARFCD agreed to design and grade the preferred lower trail alignment, which would also serve as a second maintenance road for ARFCD's operations and levee inspections.

WHEREAS, the purpose of this Second Amendment is to reimburse ARFCD for its costs to design and grade the lower trail alignment now that the total amount of such costs is known, and for ARFCD to undertake additional work to insure that the grades of the trail alignment and access ramps meet the accessibility standards under the American with Disabilities Act (ADA).

NOW, THEREFORE, in consideration of the mutual promises hereinafter set forth, ARFCD and the City agree as follows:

AGREEMENT

1. Lower Trail Alignment:
ARFCD will undertake further grading work for the lower trail alignment to insure that the grades comply with the ADA accessibility standards based on the City survey provided to ARFCD.
2. Compensation:
City will pay ARFCD its cost to design and grade the lower trial alignment, including making further alterations to comply with ADA, in an amount not to exceed \$166,234.23.



3. Principal Agreement:

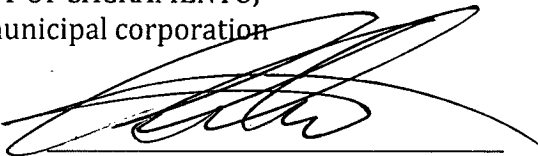
All of the terms and conditions set forth in the Principal Agreement, as amended under the First Amendment, shall remain unchanged.

4. Entire Agreement:

This Second Amendment constitutes the entire agreement and supersedes any prior written or oral agreements with regard to compensation for ARFCD's costs to design and grade the lower trail alignment.

IN WITNESS WHEREOF, this Second Amendment has been executed by City and ARFCD as of the day and year first stated above.

CITY OF SACRAMENTO,
a municipal corporation

By: 

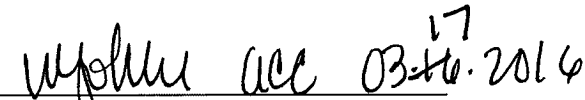
Christopher C. Conlin, Director
Department of Parks and Recreation

For: John F. Shirey, City Manager

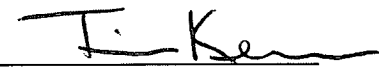
Approved as to form:

By: 
Sheryl Patterson, Senior Deputy City Attorney

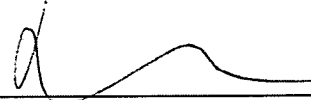
Attest:

By:  acc 03-10-2014
Assistant City Clerk

AMERICAN RIVER FLOOD CONTROL DISTRICT,
a municipal corporation

By: 
Tim Kerr, General Manager

Approved as to form:

By: 
David R.E. Aladjem, ARFCD Counsel