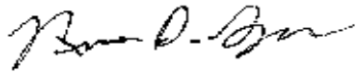


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council Members
FROM: Derek Rayner, Senior Civil Engineer
VIA: Michael Kirn, Public Works Director/City Engineer
DATE: May 5, 2015
SUBJECT: Consideration of a Resolution Awarding a Construction Contract to Maggiora & Ghilotti, Inc. in the Amount of \$1,094,094 for the Calistoga Recycled Water Storage Pond Project and Authorizing the City Manager to Execute the Contract

APPROVAL FOR FORWARDING:



Richard D. Spitler, City Manager

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ISSUE: Consideration of a Resolution that:

1. Conditionally awards the construction contract to Maggiora & Ghilotti, Inc. for the Calistoga Recycled Water Storage Pond Project in the amount of \$1,094,094, subject to Maggiora & Ghilotti, Inc. providing all documents in satisfaction of the bid award requirements.
2. Approves the Project construction budget in the amount of \$1,280,000 which includes a contingency of 10% of the bid amount and authorizes the Public Works Director to negotiate and approve contract change orders up to the approved construction budget amount.
3. Authorizes the City Manager to execute the Project contract on behalf of the City of Calistoga.
4. Directs staff to issue a notice of award to Maggiora & Ghilotti, Inc. and otherwise administer the Project.
5. In the event Maggiora & Ghilotti, Inc. is unable to meet the conditions of award, awards the construction contract to Ghilotti Construction, Inc. conditioned upon

22 Ghilotti Construction, Inc. providing all documents in satisfaction of the bid award
23 requirements.
24

25 **RECOMMENDATION:** Adopt the Resolution.
26

27 **BACKGROUND / DISCUSSION:** The City has been working closely with San Francisco
28 Regional Water Quality Control Board staff to reduce the occurrence of bypass releases
29 from Fox Irrigation Field. During meetings the City reiterated its commitment to
30 addressing the problems, its commitment to protecting the environment, cooperating with
31 all State and Federal agencies, and addressing the issues in a fiscally prudent and timely
32 manner. The pond will allow the City to store an additional 16.3MG of recycled water; and
33 provide the City more than a month's worth of storage capacity assuming dry weather
34 flows.
35

36 As part of this on-going dialogue with Regional Board staff the City submitted a Bypass
37 Alternatives Investigation Report to Regional Board staff on June 24, 2013 and a status
38 update report on June 17, 2014. The Bypass Alternatives Investigation Report identified
39 several alternatives to minimize bypass releases including the construction of a new
40 recycled water storage pond. Notwithstanding the City's good faith efforts to address the
41 Regional Board's concerns, the San Francisco Bay Regional Water Quality Control Board
42 adopted Cease and Desist Order No. R2-2014-0043, which orders the City to construct
43 additional storage capacity.
44

45 The City has aggressively pursued construction of the new storage pond and on March 9,
46 2015 issued a notice to bidders. The City received seven bids, which are summarized as
47 follows:
48

49	1. Maggiora & Ghilotti, Inc.	San Rafael, CA	\$1,094,094
50	2. Ghilotti Construction, Inc.	Santa Rosa, CA	\$1,136,250
51	3. Granite Construction Co.	Ukiah, CA	\$1,207,650
52	4. Rege Construction, Inc.	Cloverdale, CA	\$1,254,700
53	5. Team Ghilotti, Inc.	Petaluma, CA	\$1,333,331
54	6. Hess Construction, Inc.	American Canyon, CA	\$1,396,850
55	7. Ghilotti Bros., Inc.	San Rafael, CA	\$1,498,035

56

57 Staff has reviewed the low bid proposal from Maggiora & Ghilotti, Inc. and has performed
58 due diligence to verify the information presented. Based on the reference checks staff
59 recommends that the City Council find Maggiora & Ghilotti, Inc. to be the lowest
60 responsive and responsible bidder.
61

62 Last November we received notice that the City was awarded a Proposition 84 grant for
63 this project in the amount of \$750,000. We are finalizing the agreement with the
64 Department of Water Resources and will bring that agreement back to Council for

65 approval. Any expenditures incurred after January 2014 are eligible for reimbursement
66 from the Prop 84 Grant up to \$750,000.

67
68 Staff anticipates that construction activity to begin in mid-June with substantial completion
69 of the storage pond by the end of October 2015. The entire project should be finished by
70 the end of November 2015.

71
72 **GENERAL PLAN CONFORMANCE, COUNCIL GOALS AND ENVIRONMENTAL**
73 **REVIEW:**

74
75 This project conforms to the General Plan Section 7-III – Water Reclamation, Objective I-
76 3 – Develop and maintain the City’s reclaimed water system as a means to conserve
77 water and minimize the need for discharges to the Napa River.

78
79 The project conforms to Council Goal 3: Establish, improve and maintain City
80 infrastructure, Priority Project 9 – Complete construction of a new recycled water storage
81 pond.

82
83 This project has complied with CEQA and a Categorical Exemption was filed with the
84 Napa County Recorder on June 25, 2014 and forwarded to the State Clearinghouse. The
85 statutory timeline for appeal has past.

86
87 **FISCAL IMPACT:** The total construction cost is estimated at \$1,280,000 broken down
88 as follows:

89

90 Construction Contract:	\$1,094,094
91 Contingency at 10%:	\$ 109,482
92 Construction Inspection:	\$ 56,424
93 Biological Monitoring:	\$ 5,000
94 Wappo Cultural Monitoring:	\$ 15,000

95
96 The recommended FY 2015/16 Wastewater Enterprise CIP budget includes this
97 construction amount and is funded by the \$750,000 Prop 84 Grant and \$530,000 from
98 the wastewater connection fee fund balances.

99
100 **ATTACHMENTS:**

- 101
102 1. Resolution
103 2. Location Map

RESOLUTION NO. 2015- XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,
COUNTY OF NAPA, STATE OF CALIFORNIA, AWARDING A
CONSTRUCTION CONTRACT TO MAGGIORA & GHILOTTI, INC. IN THE
AMOUNT OF \$1,094,094 FOR CONSTRUCTION OF THE
CALISTOGA RECYCLED WATER STORAGE POND PROJECT AND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT

WHEREAS, the City is required to provide adequate recycled water storage to minimize bypass releases to the Napa River; and

WHEREAS, the City has been working closely with San Francisco Regional Water Quality Control Board to address the issues contained in Cease and Desist Order No. R-02-2014-0043 adopted by the Regional Board on November 12, 2014, including the mandate to construct a new recycled water storage pond to reduce the occurrence of bypass releases and time is of the essence for construction of the Project; and

WHEREAS, the City conducted a Bypass Alternatives Investigation report which identified several alternatives to minimize bypass releases, including the construction of a new recycled water storage pond; and

WHEREAS, the Project is exempt from the provisions of the California Environmental Quality Act pursuant to Title 14, the California Code of Regulations, Section 15302(c); and.

WHEREAS, a request for bids was circulated on March 9, 2015 and seven bids were received by the City, with the low bidder being Maggiora & Ghilotti, Inc. in the amount of \$1,094,094 and the second lowest bid was from Ghilotti Construction, Inc. in the amount of \$1,136,250; and

WHEREAS, City staff has confirmed that the bid from Maggiora & Ghilotti, Inc. satisfies the bidding requirements for the Project as described in the bid instructions; and

WHEREAS, staff has determined that Maggiora & Ghilotti, Inc. possesses the required license(s) for this Project and is otherwise qualified to perform the Project in accordance with the Contract documents; and

WHEREAS, staff has confirmed that the bid from Ghilotti Construction, Inc. also satisfies the bidding requirements for the Project as described in the bid instruction and that Ghilotti Construction, Inc. also otherwise qualified to perform the Project in accordance with the Contract documents; and

WHEREAS, staff has reviewed the bid from Maggiora & Ghilotti, Inc. and recommends that the City Council find that Maggiora & Ghilotti, Inc. is the lowest

47 responsible and responsive bidder; and

48

49 **WHEREAS**, \$750,000 of the project funding is from a grant from the Department
50 of Water Resources Proposition 84 Integrated Regional Water Management 2014 Grant
51 Program and the balance derived from wastewater connection fee fund balances; and

52

53 **WHEREAS**, funds for the Calistoga Recycled Water Storage Pond Project are or
54 will be budgeted in FY 2014/15 and FY 2015/16 Wastewater Capital Improvements (13-
55 5518) in the amount of \$1,280,000 which includes construction, construction
56 contingency and contract administration/inspection services; and

57

58 **WHEREAS**, Staff recommends that the bid be awarded to Maggiora & Ghilotti,
59 Inc. in the amount of \$1,094,094.

60

61 **NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of
62 Calistoga as follows:

63

64 1. Finds that the bid from Maggiora & Ghilotti, Inc. is the lowest responsive bid
65 and is a responsible bidder and waives any and all minor bid irregularities.

66

67 2. Approves the Project construction budget in the amount of \$1,280,000, which
68 includes a contingency of 10% of the bid amount and authorizes the Public
69 Works Director/City Engineer to negotiate and approve contract change orders
70 up to the approved construction budget amount.

71

72 3. Awards the construction contract to Maggiora & Ghilotti, Inc. in the amount of
73 \$1,094,094 for construction of the Calistoga Recycled Water Storage Pond
74 Project conditioned upon Maggiora & Ghilotti, Inc. providing all documents in
75 satisfaction of the bid award requirements.

76

77 4. The City Manager is hereby authorized to execute the Contract on behalf of
78 the City of Calistoga, subject to approval as to form by the City Attorney.

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80 5. Directs staff to issue a notice of award to Maggiora & Ghilotti, Inc. and
81 otherwise administer the Project.

82

83 6. In the event Maggiora & Ghilotti, Inc. is unable to satisfy the bid award
84 requirements, awards the construction contract to Ghilotti Construction, Inc.
85 under the same requirements, and authorizes the commensurate increase in
86 expenditures from CIP Fund 13-5518 to fund the Project.

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PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **5th day of May 2015**, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHRIS CANNING, Mayor

ATTEST:

KATHY FLAMSON, City Clerk