

## RESOLUTION NO. 2017- 072

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AWARDED A CONSTRUCTION CONTRACT TO MAGGIORA GHILOTTI, INC. IN THE AMOUNT OF \$1,400,000 FOR CONSTRUCTION OF THE KIMBALL RESERVOIR INTAKE TOWER, DRAIN VALVE AND PIPING IMPROVEMENTS PROJECT AND AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS WITH CONSOLIDATED CM (\$72,000) AND AECOM (\$97,299) FOR CONSTRUCTION INSPECTION/PERMIT SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACTS**

**WHEREAS**, the Kimball Reservoir was built in 1940 and raised 10 feet for additional storage in 1948; and

**WHEREAS**, the City is under an order from the California Department of Water Resources Division of Safety of Dams (DSOD) to repair or replace the 24-inch main drain valve for the reservoir; and

**WHEREAS**, the City hired AECOM (formerly URS) to design and prepare bid documents to replace the 24-inch valve and replace other aging infrastructure including the intake tower and 12-inch and 24-inch piping within the dam/reservoir footprint; and

**WHEREAS**, AECOM completed the initial study and mitigated negative declaration for the construction project to complete CEQA Compliance. The Mitigated Negative Declaration was filed with the Napa County Clerk's Office and the State Clearing House on November 23, 2015; and

**WHEREAS**, a request for bids was circulated on April 7, 2017 and no bids were received by the City; and

**WHEREAS**, per CMC Section 3.32.090B "Rejection of Bids" section, Calistoga is allowed to negotiate a contract for the improvements; and

**WHEREAS**, because staff had worked with Maggiora & Ghilotti, Inc. on the recently constructed recycled water storage pond, staff met with Maggiora & Ghilotti, Inc. to review the project and requested a bid for their services on May 24, 2017; 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 received a proposal from Consolidated CM for inspection services in the amount of \$72,000 and a proposal from AECOM in the amount of \$97,299 for construction services for permit compliance; and

**WHEREAS**, staff estimates that the total project costs will be \$1,804,693 which includes construction, inspection services, construction services for permit compliance and a 15% contingency; and

**WHEREAS**, staff recommends that a construction contract be awarded to Maggiora & Ghilotti, Inc. in the amount of \$1,400,000 with an escalation clause of 3% in the event the project cannot be built in the summer of 2017; and

**WHEREAS**, staff recommends that a Professional Services Agreement be authorized for Consolidated CM in the amount of \$72,000 for construction inspection services and a Professional Services Agreement be authorized for AECOM in the amount of \$97,299 for construction services for permit compliance, both to include a 3% escalation clause; and

**WHEREAS**, Measure A funds in the amount of \$916,956 are available for this project leaving a shortfall of \$887,737 to be funded with City funds.

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

1. Approves the Project construction budget in the amount of \$1,804,693, which includes construction inspection services and construction services for permit compliance, and a contingency of 15% of the bid amount and authorizes the Public Works Director/City Engineer to negotiate and approve contract change orders up to the approved construction budget amount.
2. Awards a Construction Contract to Maggiora & Ghilotti, Inc. in the amount of \$1,400,000 for construction of the Kimball Intake Tower, Drain Valve, and Piping Improvements Project, based on CMC Section 3.32.090B, upon Maggiora & Ghilotti, Inc. providing all documents in satisfaction of the bid award requirements.
3. Authorizes a Professional Services Agreement with Consolidated CM in the amount of \$72,000 for construction inspection services.
4. Authorizes a Professional Services Agreement with AECOM in the amount of \$97,299 for construction services for permit compliance.
5. The City Manager is hereby authorized to execute all three Contracts on behalf of the City of Calistoga.
6. Directs staff to issue a notice of award to Maggiora & Ghilotti, Inc. and otherwise administer the Project.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Calistoga at a regular meeting held this **20<sup>th</sup> day of June, 2017**, by the following vote:

**AYES:** Councilmembers Barnes, Kraus and Lopez-Ortega, Vice Mayor Dunsford and Mayor Canning  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

  
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**CHRIS CANNING, Mayor**

**ATTEST:**  
  
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**KATHY FLAMSON, City Clerk**