

RESOLUTION NO. 2015-044

**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

responsible and responsive bidder; and

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

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

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

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

1. Finds that the bid from Maggiora & Ghilotti, Inc. is the lowest responsive bid and is a responsible bidder and waives any and all minor bid irregularities.
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/City Engineer to negotiate and approve contract change orders up to the approved construction budget amount.
3. Awards the construction contract to Maggiora & Ghilotti, Inc. in the amount of \$1,094,094 for construction of the Calistoga Recycled Water Storage Pond Project conditioned upon Maggiora & Ghilotti, Inc. providing all documents in satisfaction of the bid award requirements.
4. The City Manager is hereby authorized to execute the Contract on behalf of the City of Calistoga, subject to approval as to form by the City Attorney.
5. Directs staff to issue a notice of award to Maggiora & Ghilotti, Inc. and otherwise administer the Project.
6. In the event Maggiora & Ghilotti, Inc. is unable to satisfy the bid award requirements, awards the construction contract to Ghilotti Construction, Inc. under the same requirements, and authorizes the commensurate increase in expenditures from CIP Fund 13-5518 to fund the Project.

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



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk

