



City Council Special Meeting
AGENDA

Civic Center Council Chamber ♦ 300 Seminary Avenue ♦ Ukiah, CA 95482
April 29, 2019 - 5:00 PM

1 ROLL CALL

2 PLEDGE OF ALLEGIANCE

3 AUDIENCE COMMENTS ON NON-AGENDA ITEMS

4 NEW BUSINESS

- 4.a. [Adoption of Resolution Approving, Pursuant to Public Contract Code Section 22050, the Emergency Procurement without Public Bidding of Construction Services, to Repair the Backwash Basins at the City of Ukiah Water Treatment Plant; Award of Contract to Ghilotti Construction Company for the Emergency Repair of the Backwash Basins at the Water Treatment Plant in the Amount of \\$384,359.50; and Approval of Corresponding Budget Amendment.](#)

Recommended Action: Adoption of Resolution approving, pursuant to Public Contract Code Section 22050, the emergency procurement without public bidding of construction services, to repair the backwash basins at the City of Ukiah Water Treatment Plant; Award of Contract to Ghilotti Construction Company for the Emergency Repair of the Backwash Basins at the Water Treatment Plant in the Amount of \$384,359.50; and Approval of corresponding budget amendment.

[Attachment 1 - WTP Backwash Basins](#)

[Attachment 2 - WTP Backwash Basin Resolution](#)

5 ADJOURNMENT

Please be advised that the City needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The City complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection at the front counter at the Ukiah Civic Center, 300 Seminary Avenue, Ukiah, CA 95482, during normal business hours, Monday through Friday, 8:00 am to 5:00 pm.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Ukiah City Hall, located at 300 Seminary Avenue, Ukiah, California, not less than 72 hours prior to the meeting set forth on this agenda.

Kristine Lawler, City Clerk



AGENDA SUMMARY REPORT

SUBJECT: Adoption of Resolution Approving, Pursuant to Public Contract Code Section 22050, the Emergency Procurement without Public Bidding of Construction Services, to Repair the Backwash Basins at the City of Ukiah Water Treatment Plant; Award of Contract to Ghilotti Construction Company for the Emergency Repair of the Backwash Basins at the Water Treatment Plant in the Amount of \$386,359.50; and Approval of Corresponding Budget Amendment.

DEPARTMENT: Water Resources

PREPARED BY: Jarod Thiele

ATTACHMENTS:

[Attachment 1 - WTP Backwash Basins](#)

[Attachment 2 - WTP Backwash Basin Resolution](#)

Summary: Council will consider adopting a resolution and awarding an emergency contract to Ghilotti Construction Company for the repair of the backwash basins at the Water Treatment Plant and approval of corresponding budget amendment.

Background: On February 27, 2019, under the authority in Ukiah City Code Section 5125 (Ordinance No. 995, §1), the Director of Emergency Services ("Director") proclaimed the existence of a local emergency as a result

RECOMMENDED ACTION: Adoption of Resolution approving, pursuant to Public Contract Code Section 22050, the emergency procurement without public bidding of construction services, to repair the backwash basins at the City of Ukiah Water Treatment Plant; Award of Contract to Ghilotti Construction Company for the Emergency Repair of the Backwash Basins at the Water Treatment Plant in the Amount of \$386,359.50; and Approval of corresponding budget amendment.

BUDGET AMENDMENT REQUIRED: Yes

CURRENT BUDGET AMOUNT: 82027111.80230.18160: \$0

PROPOSED BUDGET AMOUNT: 82027111.80230.18160: \$386,359.50 Water Treatment Plant Infrastructure

FINANCING SOURCE: Water Fund Reserves

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH: Sean White, Director of Water Resources; Tim Eriksen, Director of Public Works; David Rapport, City Attorney; Tami Bartolomei, Director of Emergency Services; Mary Horger, Procurement Manager

Approved: _____


Sage Sangiacomo, City Manager

of conditions created by the severe winter storm affecting the City of Ukiah ("City") beginning in February 2019.

On March 6, 2019, City Council adopted Resolution 2019-08 ratifying the Director's February 27, 2019, proclamation of a "local emergency" and proclaimed and ordered that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

On March 20, April 3 and April 17, City Council approved continuing of the Local Emergency Resolution Proclamation.

During the floods in February and March, the backwash basins at the Ukiah Water Treatment Plant ("WTP") failed due to hydrostatic pressure from the elevated water levels in Orrs Creek. Without these basins the water filters at the WTP cannot operate and water production capacity is significantly impaired.

Discussion: On April 17, 2019, the Director of Water Resources gave a report to Council regarding the conditions of the Backwash Basins at the WTP and its impact on the City's ability to produce enough water to meet peak demand. After the meeting, Water Resources Staff contacted Argonaut Constructors, Granite Construction Company and Ghilotti Construction Company to solicit pricing and availability for conducting these emergency repairs.

Argonaut Constructors was not available to complete the work within the required time frame. Both Granite and Ghilotti were available and provided detailed estimates (Attachment #1). Based on price, availability and past performance on emergency work, staff is recommending awarding a contract to Ghilotti Construction Company in the amount not to exceed \$386,359.50, which includes \$2,000 for a Payment Bond.



Teamwork, Solutions, Excellence

PROPOSAL

Ghilotti Construction Company, Inc.
 246 Ghilotti Avenue
 Santa Rosa, CA 95407
 Phone: (707) 585-1221
 Fax: (707) 585-1601
 CSLB #644515

04/22/2019

QUOTE Jarod Thiele
 TO CITY OF UKIAH
 300 Seminary Dr

Ukiah, CA 95482
 (707) 463-6755

PROJECT DESCRIPTION					
LU19113-1					
CLIENT #	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXT PRICE
	DEMOLITION & OFFHAUL INCL WOOD BAFFLE	8,030.000	SF	\$ 4.05	\$32,521.50
	16" DIGOUT SOILS & RECOMPACT PER SOILS REPORT	8,030.000	SF	\$ 8.30	\$66,649.00
	F&P 12" AGG BASE ROCK OVER FILTER FABRIC	8,030.000	SF	\$ 7.55	\$60,626.50
	F/P/S BASINS #1-#2 CONCRETE SLOPES	7,180.000	SF	\$ 25.00	\$179,500.00
	F/P/S CONCRETE SIDEWALK	850.000	SF	\$ 15.25	\$12,962.50
	REGRADE PATCH WAYS AROUND POND SITE	15,100.000	SF	\$ 1.00	\$15,100.00
	REINSTALL DEBRIS FENCE IN BASIN 1-2	85.000	LF	\$ 200.00	\$17,000.00
				Subtotal	\$384,359.50
				TOTAL:	\$384,359.50

We are pleased to submit the following cost proposal for the above referenced project. Attached herein is our cost breakdown associated with our proposed scope of work.

We have reviewed the following documents in preparing our proposal:

SPECIFICATIONS / DATE: None

SOILS REPORT: Crawford Associates 4-10-19

ORIGINAL PLANS DATE: 3-27-19

PLANS / DATE / REVISIONS: NRV 3-27-19

ADDENDA: None

CLARIFICATIONS:

1. UPON ACCEPTANCE OF THIS PROPOSAL, ALL TERMS AND CONDITIONS CONTAINED HEREIN ARE TO BE INCLUDED AS PART OF ANY SUBSEQUENT CONTRACT AGREEMENT.
2. No retention.
3. Insurance will be provided on Accord certificate forms with CG 20 10 04 13 additional insured endorsement.
4. GCC's scope of work cannot be subdivided, broken out or modified without GCC's prior written consent.
5. This is a Lump Sum proposal.
6. Our bid prices are based on availability of city water via closest fire hydrants or water source at no cost.
7. Unless otherwise provided for in the bid documents, our proposal is based on work commencing within 30 days of its receipt.

STANDARD EXCLUSIONS: (UNLESS SPECIFICALLY INCLUDED IN OUR SCOPE ABOVE)

Survey, staking and layout
Bonds, fees, permits, testing, inspections.
Professional/ Errors & Omission Insurance
Work in Inclement Weather.
Removal and disposal of buried debris.
Removal, disposal or handling of hazardous or contaminated materials. (Except as stated for relocation within proposal)
Processing, reworking or drying of excessively wet material (i.e.; 2% over optimum).
Shrinkage crack moisture conditioning & closure.
Moisture Condition below 6" of Sub Grade.
Fencing or fence replacement.
Arborist.
Hydroseeding
Winter Maintenance, Erosion Control Repair.

DISCLAIMER OF RESPONSIBILITY

Engineering design; adequacy of existing subgrade, base or pavements; settlement, cracks, or discoloration of concrete; damage to unmarked or concealed underground facilities; (other):

THIS PROPOSAL SUBJECT TO OUR APPROVAL OF FINANCIAL ARRANGEMENTS OR FUNDS SET ASIDE

In the event that it becomes necessary for Contractor, by lien or other action, to enforce collection of any amount payable by Buyer hereunder, Buyer agrees to pay Contractor all expenses, including interest and attorney's fees, incurred in the institution and prosecution of such action.

Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning the responsibilities of a contractor may be referred to the Registrar of the Board whose address is: 9835 Goethe Road, Sacramento, CA 95827 (Mailing Address: P.O. Box 26000, Sacramento, CA 95826), 916/255-3900.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner(s) are to carry fire, tornado and/or any other necessary insurance. Our workers are fully covered by Workmen's' Compensation Insurance.

Note: This proposal may be withdrawn by GCC if not accepted within 15 days.

ACCEPTANCE OF PROPOSAL:

The above prices, terms and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

AUTHORIZED SIGNATURE:

Steve Hanak, Project Manager/Estimator

Date: 4-16-19

BUYER:

Signature

Name / Title / Firm Name

Date: _____

PROPOSAL

DATE: April 22, 2019

TO:

**City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482**

REFERENCE:

**Treatment Pond
Emergency Repairs**

Thank you for the opportunity to provide pricing on this project. Please contact me if you have any questions about this proposal.

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
1	Demo Concrete & Wood Baffle Including Disposal	8,030	SF	\$6.50	\$52,195.00
2	Excavate Soils & Prepare Subgrade Including Disposal	8,030	SF	\$7.00	\$56,210.00
3	Furnish & Place 12" Class 2 Aggregate Base on Fabric	8,030	SF	\$8.25	\$66,247.50
4	Furnish & Place 6" 4,000 PSI Concrete Slopes	7,180	SF	\$22.00	\$157,960.00
5	Furnish & Place Sidewalk	850	SF	\$16.00	\$13,600.00
6	Furnish & Place 2' Tall x 6" Thick Concrete Cutoff Wall	750	LF	\$37.00	\$27,750.00
7	Regrade Pathways Around Ponds	15,100	SF	\$0.40	\$6,040.00
8	Reinstall Debris Fence in Basins 1 & 2	85	LF	\$80.00	\$6,800.00
	TOTAL				\$386,802.50

Our pricing is based upon the following clarifications and exclusions:

CLARIFICATIONS & ASSUMPTIONS:

1. Bid based upon the geotechnical report conclusions & recommendations, detail sheet by Robert Valentine, original plan sheet dated 12-28-1990 by HDR, and field visit on 04-18-19.
2. Includes offsite disposal of demolished concrete and excess spoils.
3. Concrete slope item includes reinforcing steel, sawcutting of expansion joints, and joint sealer.
4. Concrete slope item assumes that formed concrete meeting the 4,000 PSI requirement is acceptable. If pneumatically placed concrete (shotcrete) is required by design add \$45,360.
5. Assumes one pond will be taken out of service, upon completion of this work the pond will be put back into service and the work will be completed on the other pond.
6. Granite can mobilize and begin work within 36 hours of notice of award.

EXCLUSIONS:

- Engineering, staking, surveying, testing, inspection, permits and fees.
- Storm water pollution prevention plan, or implementation of plan.
- Cost of bonds, if required add \$2,000.
- Removal or relocation of utilities to remain or in conflict with proposed improvements.
- Removal, handling and/or transportation of any hazardous and/or contaminated materials.
- Relocate, remove, cap plug, support or adjust existing utilities.
- As-built plans.
- Removal of abandoned underground or near-surface structures, foundations, or utilities.

CONTACT INFORMATION

Justin Ingram

Justin Ingram

North Coast Area Manager

Direct Number (707) 467-4104

Fax Number 707-467-4143

justin.ingram@gcinc.com

RESOLUTION NO. 2019-19**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH APPROVING PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050 THE EMERGENCY PROCUREMENT WITHOUT PUBLIC BIDDING OF CONSTRUCTION SERVICES TO REPAIR THE BACKWASH BASINS AT THE CITY OF UKIAH WATER TREATMENT PLANT****WHEREAS:**

1. On February 27, 2019, under the authority in Ukiah City Code Section 5125 (Ordinance No. 995, §1), the Director of Emergency Services ("Director") proclaimed the existence of a local emergency as a result of conditions created by the severe winter storm affecting the City of Ukiah ("City") beginning in February 2019; and
2. On March 6, 2019, City Council adopted Resolution 2019-8 ratifying the Director's February 27, 2019 proclamation of a "local emergency" and proclaimed and ordered that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council; and
3. On March 20, 2019, and April 3 and 17, 2019, City Council approved continuing of the Local Emergency Resolution Proclamation; and
4. During the floods in February and March, the backwash basins in the Ukiah Water Treatment Plant ("WTP") failed due to hydrostatic pressure from the elevated water levels in Orrs Creek; and
5. Without these basins the water filters at the WTP cannot operate and water production capacity is significantly impaired; and
6. With the onset of spring the use of water for irrigation in the City will increase to the point where water must be diverted from the Russian River to meet demand; and
7. Surface waters from the Russian River must be treated at the WTP to meet primary and secondary drinking water standards; and
8. When water demand reaches this level, the consumption of untreated water poses unacceptable and potentially serious health hazards to users of the City's water system, particularly young children, pregnant women and people with conditions making them vulnerable to impurities that are removed from surface water by the WTP; and
9. The City Engineer estimates that it would take 120 days to develop plans and specifications to bid the construction work required to repair the backwash basins, to advertise requests for bids, to award the bid and to commence construction and an additional 3-4 weeks to complete the work; and
10. The demand for treated water is likely to commence within sixty days and could be sooner, depending on the weather; and

11. Under Public Contract Code Section 22050(a)(1) in the case of an emergency, the City, pursuant to a four-fifths vote of the City Council, may repair or replace a public facility and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and
12. Under Public Contract Code Section 22050(a)(2) before the City Council takes such action, it must make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency;

NOW, THEREFORE, BE IT RESOLVED that:

1. Based on the foregoing recitals and information, the City Council finds that an emergency condition exists that must be repaired to avoid public health hazards that could result, if the repair work was put out for competitive bids in compliance with the procedures required by the Uniform Construction Cost Accounting Act.
2. The City Council authorizes the procurement of construction services to repair the backwash basins at the WTP without providing notice inviting bids.
3. The City Council authorizes the City Procurement Officer to contract with Ghilotti Construction, Inc. to repair the backwash basins at the WTP for a not to exceed amount of \$386,359,50.
4. Awarding a contract to repair the backwash basins is categorically exempt from environmental review under the California Environmental Quality Act as a Class 2 categorical exemption, because it involves the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. (14 CCR §15302.)
5. The emergency action taken by this resolution shall terminate upon the City Council's approval of a certificate of completion for the backwash basin repair work.

PASSED AND ADOPTED this 24th day of April, 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Maureen Mulheren, Mayor

ATTEST:

Kristine Lawler, City Clerk