

Resolution No. 2024-XXX N.C.S.
of the City of Petaluma, California

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETALUMA AWARDING CONTRACT
FOR THE PARKS ACCESS IMPROVEMENTS PROJECT (C14502318) TO SCHAEFER
ENGINEERING, INC**

WHEREAS, in accordance with the City of Petaluma Charter and Municipal Code, California Public Contract Code Section 20162, and other applicable laws, City staff prepared construction bid documents and solicited bids for the Parks Access Improvements project (C14502318); and

WHEREAS, the project was bid on Friday, October 27, 2023, and nine (9) bids were received and opened on Thursday, November 16, 2023, in accordance with applicable law; and

WHEREAS, the lowest responsible bid for the project was submitted by Schaefer Engineering, Inc., from Santa Rosa, CA, for \$225,900.00; and

WHEREAS, it has been determined that Schaefer Engineering, Inc., satisfies the bidding requirements for the project; and

WHEREAS, no bidders protested Schaefer Engineering, Inc.'s bid, and the deadline to submit a protest has lapsed; and

WHEREAS, the Parks Access Improvements project (C14502318) is categorically exempt pursuant to CEQA Guidelines Sections 15301, Existing Facilities, 15302, Replacement or Reconstruction, and 15304, Minor Alterations, because the project is limited to the replacement of existing access pathways with new facilities within three existing city parks. All improvements will occur within or immediately adjacent to the existing pathways in areas previously disturbed and improved with park amenities. The project will repair the surface of pathways and provide internal pedestrian connectivity within existing public parks. There is negligible or no expansion of use beyond what currently exists, and there are no cumulative impacts, unusual circumstances, or other factors that would make the exemption inapplicable. Therefore, the project is exempt under Section 15301 (c), repair and maintenance, Section 15302 (c) replacement or reconstruction of an existing public facility, and Section 15304 as the activity is limited to minor alterations to accommodate safe access at existing city parks; and

WHEREAS, a notice of exemption was issued for the project; and

WHEREAS, the Public Works Director has found this project to be substantially complex due to the number of resources needed to complete the project, including the number of days, workers, and labor; the tasks needed to complete the project; specialty contractor work needed; and, the size and impact of the project. Therefore, this is a unique project that is not regularly performed and requires a higher retention amount beyond five percent.

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

1. Declares that the above recitals are true and correct and are incorporated into this Resolution as findings of the Petaluma City Council.
2. Finds that this project is exempt pursuant to the California Environmental Quality Act ("CEQA")

pursuant to Title 14, the California Code of Regulations (“CEQA Guidelines”), Sections 15301, Existing Facilities, 15302, Replacement or Reconstruction, and 15304, Minor Alterations because the project is limited to the replacement of existing access pathways with new facilities within three (3) existing city parks.

- 3. Finds that this project is substantially complex due to the number of tasks needed to complete the project; the number of resources, specialty contractor work needed (including concrete work, number of days, workers, equipment, and labor); and, the size and impact of the project (will require work in three (3) City parks).
- 4. In accordance with the City of Petaluma Charter and Municipal Code, California Public Contract Code Section 20162, and other applicable law, waives any and all non-conformance in the bid of Schaefer Engineering, Inc., for the Parks Access Improvements Project (C14502318) and finds the bid of \$225,900.00 to be the lowest responsible and responsive bid.
- 5. Awards the contract for the Parks Access Improvements project (C14502318) to Schaefer Engineering, Inc., in the amount of \$225,900.00, the amount of the lowest responsible and responsive bid, conditioned on Schaefer Engineering, Inc.’s timely execution of the project contract and submitting all required documents, including but not limited to, executed bonds, certificates of insurance, and endorsements, in accordance with the project bid documents.
- 6. Directs staff to issue a notice of award to Schaefer Engineering, Inc.
- 7. Authorizes and directs the City Manager to execute the project contract on behalf of the City of Petaluma upon timely submission by Schaefer Engineering, Inc., of the signed project contract and all other required documents, including but not limited to executed bonds, certificates of insurance, and endorsements, in accordance with the project bid documents.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:	I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 8 th day of January 2024, by the following vote:	Approved as to form:
		<div style="text-align: right;">_____ City Attorney</div>
AYES:		
NOES:		
ABSENT:		
ABSTAIN:		
ATTEST:	<div style="text-align: right;">_____ City Clerk</div>	<div style="text-align: right;">_____ Mayor</div>