

Resolution No. 2025-XXX N.C.S.
of the City of Petaluma, California

**RATIFYING AWARD OF CONTRACT, ACCEPTING COMPLETION OF, AND AUTHORIZING
RELEASE OF THE 10% RETENTION FOR THE EMERGENCY REPAIR FOR THE
FAIRGROUNDS SEWER PUMP STATION (C66505452) FOR BARTLEY PUMP**

WHEREAS, in accordance with Section 4.04.050 of the Petaluma municipal Code, the City of Petaluma issued an emergency purchase order to address emergency repairs for the Fairgrounds Sewer Pump Station (C66505452) project; and

WHEREAS, Public Contract Code Section 1102 defines an emergency as a “sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services”; and

WHEREAS, upon obtaining access to the Fairgrounds property in January 2024, the City observed significant safety hazards and the deteriorated state of essential mechanical equipment, which constituted a sudden and unexpected threat requiring immediate action; and

WHEREAS, failure to urgently address these safety hazards would have placed City staff at an increased risk of injury, thereby impairing life and health; and

WHEREAS, the replacement of failing mechanical equipment and associated components substantially reduced the risk of a Sanitary Sewer Overflow, which could have resulted in an impairment of public health, damage to property, and disruption of essential public services, including the proper functioning of the sewer system; and

WHEREAS, the urgent nature of these conditions necessitated immediate action to prevent harm and ensure the continued provision of essential public services; and

WHEREAS, the City of Petaluma executed an emergency construction contract with Bartley Pump on March 13, 2024, in the amount of \$37,061.00; and

WHEREAS, the following change orders affecting the Project amount have been approved: Total Change Orders: \$6205.10; and

WHEREAS, the final contract amount as amended including all change orders is \$43,266.10; and

WHEREAS, City staff have inspected the Project and determined that it has been completed in accordance with the contract requirements subject to the Contractor’s continuing warranty and other obligations pursuant to the contract; and

WHEREAS, the reconstruction of an existing facility is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities, Replacement, or Reconstruction); and

WHEREAS, the reconstruction of an existing facility is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (Replacement, or Reconstruction); and

WHEREAS, the emergency repair work is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (New Construction or Conservation of Small Structure); and

WHEREAS, therefore is also exempt pursuant to CEQA Guidelines Section 15269 (Emergency Projects); and

WHEREAS, based on the foregoing, staff recommend acceptance of the Project on behalf of the City.

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

1. Finds that the above recitals are true and correct and are incorporated herein as findings of this Resolution.
2. Ratifies the award of contract for the Fairgrounds Sewer Pump Station to Bartley Pump
3. Finds that the Fairgrounds Sewer Pump Station project constituted an emergency and that the City satisfied its Charter and Municipal Code purchasing requirements.
4. The contract entitled Emergency Repair for the Fairgrounds Sewer Pump Station (C66505452) with a final contract amount of \$43,266.10 is accepted as complete subject to the Contractor's continuing warranty and other obligations pursuant to the contract.
5. The City Clerk/Recording Secretary is hereby authorized and directed to file a Notice of Completion concerning the Project with the Sonoma County Clerk's Office within ten (10) days of the date of this Resolution.
6. Staff is hereby authorized and directed to release all undisputed retention not subject to pending change orders within (60) days of the date of this Resolution and in accordance with the terms of the Project contract, the Petaluma City Charter, California Public Contract Code Section 7107, and applicable laws.
7. Finds that the project was exempt from CEQA pursuant to CEQA Guidelines Sections 15301, 15302, 15303, and 15269.

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 17th day of March 2025, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor