

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

**RESOLUTION ACCEPTING COMPLETION OF THE PAVEMENT RESTORATION &  
RECONSTRUCTION – MARIA DRIVE (C16102432) AND THE URBAN RECYCLED WATER SYSTEM  
EXPANSION – MARIA EXTENSION/LOOP (C66501834) BY AZUL WORKS, 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 Pavement Restoration & Reconstruction – Maria Drive (C16102432) and the Urban Recycled Water System Expansion – Maria Extension/Loop (C66501834) projects (“Project”); and

**WHEREAS**, the project was bid on September 28, 2023, and four (4) bids were received and opened on October 26, 2023, in accordance with applicable law; and

**WHEREAS**, the lowest responsible bid for the project was submitted by Azul Works, Inc. from San Francisco, CA, for \$4,564,598; and

**WHEREAS**, by Resolution No. 2023-188 N.C.S., adopted December 18, 2023, the City Council of the City of Petaluma found the bid of \$4,564,598 for the Project to be the lowest responsive bid and awarded the Project to Azul Works, Inc., in the amount of \$4,564,598, conditioned on Azul Works, Inc.’s timely execution of the Project contract and submitting all required documents and authorized and directed the City Manager to sign the Project contract on behalf of the City upon such timely submission and to execute on behalf of the City and change orders and other amendments to the Project contract that is necessary to complete the Project effectively and/or to realize the Project and/or cost benefits for the City so long as such change order or amendments do not result in an increase in excess of six percent of the total Project amount; and

**WHEREAS**, change orders, CCO 01, CCO 02 and CCO 03 affecting the Project amount in the value of: \$2,028,882 have been approved; and

**WHEREAS**, the approximate final contract amount, as amended, including all change orders is \$6,700,000; 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**, based on the foregoing, staff recommend acceptance of the Project on behalf of the City.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Petaluma hereby:

1. Declares that the above recitals are true and accurate and are incorporated herein as findings of this Resolution.
2. Accepts as complete the contract titled Pavement Restoration 23/24 C16102248 and Urban Recycled Water System – Maria Extension/Loop FY23/24 C66501834, with the approximate final contract amount of \$6,700,000, subject to the Contractors continuing warranty and other obligations pursuant to the contract

3. Authorizes and directs the City Clerk 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
4. Authorizes and directs Staff to release all undisputed retention not subject to pending change orders within sixty (60) days of the date of this Resolution and in accordance with the terms of the Project contract, California Public Contract Code Section 7107, and applicable law.
5. Finds that this project is categorically exempt pursuant to the California Environmental Quality Act ("CEQA") pursuant to Article 19, Section 15301(c), of Title 14 of the California Code of Regulations ("CEQA Guidelines") because the project consists of the repair, maintenance, and minor alteration of existing public facilities involving negligible or no expansion of existing or former use. The improvements have repaired existing deteriorated pavement and brought existing curb ramps into compliance with current ADA regulations without changing the use of those facilities. Accordingly, there is negligible or no expansion of use beyond what previously existed, and there are no cumulative impacts, unusual circumstances, or other factors that make the exemption inapplicable pursuant to CEQA Guidelines Section 15300.2. A Notice of Exemption for the Project was filed in March 2023 with the County of Sonoma and the statute of limitations for challenging the City's CEQA determination has lapsed.

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 4<sup>th</sup> day of November 2024, by the following vote:

Approved as to  
form:

\_\_\_\_\_  
City Attorney

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor