

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

**RESOLUTION AWARDING A CONTRACT FOR THE SHOLLENBERGER
AMPHITHEATRE AND KIOSK IMPROVEMENTS PROJECT (C14502012)
TO PRECISION EXCAVATING AND GRADING, 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 Shollenberger Amphitheater & Kiosk Improvements project (C14502012); and

WHEREAS, the project was bid on Friday, September 20, 2024, and three (3) bids were received and opened on Tuesday, October 8, 2024, in accordance with applicable law; and

WHEREAS, the lowest responsible bid for the project was submitted by Precision Excavating and Grading Inc., from Cloverdale, CA, for \$87,866.90; and

WHEREAS, it has been determined that Precision Excavating and Grading Inc., satisfies the bidding requirements for the project; and

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

WHEREAS, the Shollenberger Amphitheater & Kiosk Improvements project (C14502012) is categorically exempt pursuant to CEQA Guidelines Sections 15301, Existing Facilities, and 15303, Small Structures, because the educational area will use existing space in the park, the new structures will be small and consistent with the existing park features, and the project will not have any significant negative impacts on the environment. 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.

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, and 15303, Small Structures.
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, and the size and impact of the project.

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 Precision Excavating and Grading Inc., for the Shollenberger Amphitheater & Kiosk Improvements project (C14502012) and finds the bid of \$87,866.90 to be the lowest responsible and responsive bid.
5. Awards the contract for the Shollenberger Amphitheater & Kiosk Improvements project (C14502012) to Precision Excavating and Grading Inc., in the amount of \$87,866.90, the amount of the lowest responsible and responsive bid, conditioned on Precision Excavating and Grading Inc. 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 Precision Excavating and Grading Inc.
7. Authorizes and directs the City Manager to execute the project contract on behalf of the City of Petaluma upon Precision Excavating and Grading Inc.'s timely submission 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 4th day of November 2024, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor