

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

## **RESOLUTION ACCEPTING COMPLETION OF THE PETALUMA COMMUNITY CENTER EXTERIOR REPAIRS PROJECT C16201304 BY SFT CONSTRUCTION CORP**

**WHEREAS**, in accordance with the City of Petaluma Charter and Municipal Code, California Public Contract Code Section 20162, and other applicable laws, City staff solicited bids for the Petaluma Community Center Exterior Repairs project C16201304 (“Project”); and

**WHEREAS**, the project was bid on April 28, 2023, in accordance with California Public Contract Code Section 4104.5 and other applicable laws; and

**WHEREAS**, the apparent low bid for the Project was the bid of SFT Construction Corp. in the amount of \$650,000; and

**WHEREAS**, the City Council of the City of Petaluma, awarded the contract for the Petaluma Community Center Exterior Repairs project C16201304 to SFT Construction Corp., in the amount of \$650,000, the amount of the lowest responsive bid, conditioned on SFT Construction Corp.'s timely executing 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; and

**WHEREAS**, the City Council of the City of Petaluma directed staff to issue a notice of award to SFT Construction Corp; and

**WHEREAS**, the City Council of the City of Petaluma authorized and directed the City Manager to execute the project contract on behalf of the City of Petaluma upon timely submission by SIFT Construction Corp. 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; and

**WHEREAS**, the following change orders affecting the Project amount have been approved: \$97,000; and,

**WHEREAS**, the final contract amount, as amended, including all change orders is \$747,000; and,

**WHEREAS**, the contractor has completed the project satisfactorily, and not accepting completion would likely lead to a contractual dispute with the contractor.

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

1. Declares that the above recitals are to be true and correct and are incorporated into this resolution as findings of the City Council.
2. Finds that this project was found to be categorically exempt when City Council awarded the project 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 replaced the roof gutter and certain storefront windows at the Petaluma Community Center without changing the use of those facilities. Accordingly, 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 pursuant to CEQA Guidelines Section 15300.2. The statute of limitations to challenge the City’s CEQA determination has lapsed. Accepting completion of the project falls within the previous exemption finding and would not be considered a “project” pursuant to CEQA Guidelines Section 15378 as it is an administrative item that will not have a direct or indirect effect on the environment.

3. Accepts as complete the contract titled COMMUNITY CENTER ROOF GUTTER REPLACEMENT AND MODIFICATION, AND STOREFRONT WINDOW REPLACEMENT PROJECT C16201304, with the final contract amount of \$747,000.00, subject to the Contractors continuing warranty and other obligations pursuant to the contract.
4. 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.
5. 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.

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