

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

**RESOLUTION ACCEPTING COMPLETION OF CONTRACT WORK FOR THE TURNING BASIN
DOCKS PROJECT (C14402010) BY THE DUTRA GROUP**

WHEREAS, in accordance with Section 68 of Article X of the City of Petaluma Charter, Section 20162 of the California Public Contract Code, and other applicable laws, the City of Petaluma solicited bids for the Turning Basin Docks project (“Project”); and

WHEREAS, bids for the Project were opened on Friday, June 16, 2023 and two (2) bids were received and opened on August 10, 2023, in accordance with California Public Contract Code Section 4104.5 and other applicable laws; and

WHEREAS, the lowest responsible base bid for the Project was submitted by The Dutra Group in the amount of \$1,297,300.00, with bids on two optional bid items, bid alternates #1 and #2, recommended for award totaling \$98,000 for a contract value total of \$1,395,300; and

WHEREAS, by Resolution No. 2023-146 N.C.S., adopted September 18, 2023, the City Council of the City of Petaluma awarded the contract for the Petaluma River Turning Basin Floating Dock and Pile Installation Project to The Dutra Group in the amount of \$1,395,300.00, the amount of the lowest responsive bid plus optional bid items, conditioned on The Dutra Group’s timely execution of the Project contract and submitting all required documents and authorized and directed the City Manager to execute the project contract on behalf of the City upon such timely submission and to execute on behalf of the City any 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; and

WHEREAS, by Resolution No. 2023-146 N.C.S., adopted September 18, 2023, the City Council of the City of Petaluma also approved a construction contract contingency of \$209,295.00; and

WHEREAS, four (4) change orders affecting the Project amount in the value of: \$165,518.00; and

WHEREAS, the final contract amount, as amended, including all cost savings and change orders, is \$1,462,818.00; 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, in accordance with Government Code Section 830.6, the Project, including the four (4) change orders, was constructed in conformity with the plans approved by the City Engineer; 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. Finds that the above recitals are true and correct and are incorporated herein as findings of this Resolution.
2. Accepts as complete the contract entitled Petaluma River Turning Basin Floating Dock and Pile Installation Project, Project No. C14402010 with a final contract amount of \$1,462,818.00, subject to the Contractor's 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, the Petaluma City Charter, California Public Contract Code Section 7107, and applicable law.
5. Finds that this project is categorically exempt under the California Environmental Quality Act (CEQA) and will not have any 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 to existing facilities and Section 15302 (c) a replacement or reconstruction of an existing public facility. The City filed a Notice of Exemption on June 2, 2023 with the County of Sonoma for the Project subsequent to City Council subsequent to City Council's May 1, 2023 action awarding contract for the fabrication. Accordingly, environmental review was already completed and the statute of limitations to challenge the City under CEQA has run.

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 27th day of January 2025 by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor