

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETALUMA ACCEPTING
COMPLETION OF THE PAYRAN MADISON AREA SEWER MAIN REPLACEMENT PROJECT
CONTRACT FOR K.J. WOODS CONSTRUCTION, INC.,
PROJECT NO. C66402245**

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 Payran Madison Trenchless Sewer Main Replacement project (“Project”); and

WHEREAS, bids for the Project were opened on Thursday, July 6, 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 K.J. Woods Construction, Inc. in the amount of \$1,578,000.00; and

WHEREAS, by Resolution No. 2023-117 N.C.S., adopted February 26, 2024, the City Council of the City of Petaluma found the bid of \$1,578,000.00 for the Project to be the lowest responsive bid and awarded the Project to K.J. Woods Construction, Inc., in the amount of \$1,578,000.00 conditioned on K.J. Woods Construction, Inc.’s timely execution 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 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 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, the following change orders affecting the Project amount have been approved:

Total Change Orders: \$155,732.17; and

WHEREAS, the final contract amount as amended, including all change orders as well as cost savings from scope reductions, is \$1,516,732.17; 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 City Engineer found the Project design and plans reasonable, including the three change orders; and

WHEREAS, in accordance with Government Code Section 830.6, the Project, including the three 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, 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. The contract entitled Payran/Madison Area Trenchless Sewer Main Replacement, Project No. C64402245 with a final contract amount of \$1,516,732.17 is accepted as complete subject to the Contractor’s continuing warranty and other obligations pursuant to the contract.
- 3. 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.
- 4. 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.

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 15 th day of July 2024 by the following vote:	Approved as to form:
		<hr/> City Attorney

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:	<hr/> City Clerk	<hr/> Mayor
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