

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

**RATIFYING AWARD OF CONTRACT, ACCEPTING COMPLETION OF, AND AUTHORIZING
RELEASE OF THE 10% RETENTION FOR THE EMERGENCY REPAIR FOR THE WATER AND
SEWER MAIN REPLACEMENT –1st & F STREET PROJECTS (C67502434, C66402451) FOR K.J.
WOODS CONSTRUCTION, INC.**

WHEREAS, in accordance with Section 4.04.050 of the Petaluma municipal Code, the City of Petaluma issued an emergency purchase order to address emergency repair and replacement of sewer mains for the Sewer Main Replacement – 1st and F Street (C66402451) project; and

WHEREAS, the Sewer Main Replacement – 1st and F Street (C66402451) and Water Main Replacement – 1st and F Street (C67502434) projects (“Project”) were combined due to their close proximity, resulting in cost and time efficiencies while minimizing disruption to nearby businesses and residences; and

WHEREAS, the City of Petaluma executed an emergency construction contract with K.J. Woods Construction, Inc. on May 23, 2024 in the amount of \$758,000.00; and

WHEREAS, the following change orders affecting the Project amount have been approved: Total Change Orders: \$75,256.65; and

WHEREAS, the final contract amount as amended including all change orders is \$815,256.65; 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, the reconstruction of an existing facility is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities, Replacement, or Reconstruction); and

WHEREAS, the emergency repair work is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (New Construction or Conservation of Small Structure); and

WHEREAS, therefore is also exempt pursuant to CEQA Guidelines Section 15269 (Emergency Projects); and

WHEREAS, in accordance with Government Code Section 830.6 the City Engineer found the Project design and plans reasonable, including the one change order; and

WHEREAS, in accordance with Government Code Section 830.6, the Project, including one change order was constructed in conformity of 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. Ratifies the award of contract for the Urgent Replacement of First and F Street Water and Sewer Mains to K.J. Woods Construction, Inc.
3. Finds that the First Street Water and Sewer Main Replacement project constituted an emergency and that the City satisfied its Charter and Municipal Code purchasing requirements.
4. The contract entitled Water and Sewer Main Replacement – 1st & F Street Projects (C67502434, C66402451) with a final contract amount of \$815,256.65 is accepted as complete subject to the Contractor’s continuing warranty and other obligations pursuant to the contract.
5. 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.
6. 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 4th day of November 2024, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor