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

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR THE HARDIN TANK RECOATING PROJECT TO OLYMPUS AND ASSOCIATES, INC., AND
APPROVE A REVISED PROJECT BUDGET**

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 Hardin Tank Recoating Project; and

WHEREAS, the project was bid on May 23, 2024, and nine (9) bids were received and opened on May 23, 2024, in accordance with applicable law; and

WHEREAS, the lowest responsible bid for the project was submitted by Olympus and Associates, Inc. from Reno, Nevada, for $1,113,150.00; and

WHEREAS, staff recommends awarding Bid Alternate #1 in the amount of $99,456.00 and Bid Alternate #2 in the amount of $146,160.00 for a total contract amount of $1,358,721.00; and

WHEREAS, it has been determined that Olympus and Associates, Inc., satisfies the bidding requirements for the project; and

WHEREAS, no bidders protested the bid of Olympus and Associates, Inc., and the time to protest their bid has lapsed; and

WHEREAS, the Hardin Tank Recoating Project is categorically exempt pursuant to the California Environmental Quality Act ("CEQA") and Title 14, the California Code of Regulations ("CEQA Guidelines"), Section 15301 because the project consists of repair and maintenance to existing public infrastructure and 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; and

WHEREAS, a notice of exemption was issued for the project; and

WHEREAS, the Public Work's Director has found that the work is substantially complex due to: the amount of technical and scientific knowledge needed to complete the project, the number of resources needed to complete the project, including the number of days, workers, and labor; the urgency for project completion; the amount of tasks needed to complete the project; the number of organizational stakeholders needed to satisfy; the environmental complexity of the conditions; and in particular the specialty contractor work and skills needed to complete the project (multidisciplinary components such as electrical, mechanical, instrumentation and controls, and structural; requires special skills and equipment to perform steel tank welding and coating); the size and impact of the project (1-million gallon tank); and therefore this is a unique project that is not regularly performed and requires a higher retention amount than 5 percent; and

WHEREAS, the FY 23/24 CIP budget is not sufficient to complete the project as bid.

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

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"), Section 15301, as the minor alteration of existing public facilities with negligible or no expansion in use and there are no cumulative impacts, unusual circumstances, or other factors that would make the exemption inapplicable pursuant to CEQA Guidelines Section 15300.2.
3. Finds that this project is substantially complex due to the amount of technical and scientific knowledge needed to complete the project; the number of resources needed to complete the project, including amount of days, workers, and labor; the urgency for project completion; the amount of tasks needed to complete the project; the number of organizational stakeholders needed to satisfy; the environmental complexity of the conditions; and in particular the specialty contractor work and skills needed to complete the project (multidisciplinary components such as electrical, mechanical, instrumentation and controls, and structural; requires special skills and equipment to perform steel tank welding and coating); and the size and impact of the project (1-million gallon tank).
4. In accordance with the City of Petaluma Charter and Municipal Code, California Public Contract Code Section 20162, and other applicable laws, waives any and all non-conformance in the bid of Olympus and Associates, Inc., for the Hardin Tank Recoating Project No. C67502328, and finds the bid of $1,113,105.00 to be the lowest, responsive bid and further finds that Olympus and Associates, Inc., is the lowest responsible bidder.
5. Awards the contract for the Hardin Tank Recoating Project to Olympus and Associates, Inc., in the amount of $1,358,721.00, the amount of the lowest responsive bid and Bid Alternatives 1 and 2, conditioned on Olympus and Associates, Inc.'s timely executing 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 Olympus and Associates, Inc.
7. Authorizes and directs the City Manager to execute the project contract on behalf of the City of Petaluma upon timely submission by Olympus and Associates, Inc. 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 17th day of June 2024, by the following vote:	Approved as to form:
		_____
		City Attorney
AYES:		
NOES:		
ABSENT:		
ABSTAIN:		
ATTEST:	_____	_____
	City Clerk	Mayor