

**Resolution No. 2023-XXX N.C.S.  
of the City of Petaluma, California**

**AUTHORIZING AWARD OF CONTRACT FOR THE ELLIS CREEK TERTIARY FILTRATION  
SYSTEM EXPANSION PROJECT – UV DISINFECTION EQUIPMENT TO  
C. OVERAA & COMPANY, FINDING THIS ITEM HAS BEEN ADDRESSED IN A PREVIOUSLY  
CERTIFIED ENVIRONMENTAL IMPACT REPORT AND NO SEPARATE, SUBSEQUENT, OR  
SUPPLEMENTAL REVIEW IS WARRANTED, AND FINDING THAT THIS PROJECT IS  
CATEGORICALLY EXEMPT PURSUANT TO CEQA GUIDELINES SECTIONS 15301**

**WHEREAS**, the City of Petaluma owns and operates the Ellis Creek Water Recycling Facility (ECWRF), located at 3890 Cypress Drive, Petaluma California; and

**WHEREAS**, City staff has prepared construction bid documents and advertised for construction for the Ellis Creek Tertiary Filtration System Expansion Project – UV Disinfection Equipment (“project”); and

**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 project; and

**WHEREAS**, the project was bid on September 9, 2022, and three (3) bids were received and opened on December 1, 2022, in accordance with applicable law; and

**WHEREAS**, the lowest responsible base bid for the project was submitted by C. Overaa & Co., from Richmond, CA for \$3,061,000.00; and

**WHEREAS**, the bid submitted by C. Overaa & Co. was found by staff to be fair and reasonable; and satisfies the bidding requirements for the project; and

**WHEREAS**, staff has verified that C. Overaa & Co. possesses a valid California Contractor’s License, Class A (General Engineering Contractor), number 106793 that qualifies the Contractor to perform the project; and

**WHEREAS**, the City has received no protests concerning the bid, or proposal, and the time to protest the proposal has lapsed; and

**WHEREAS**, Resolution No. 2020-064 N.C.S. of the Petaluma City Council made the findings necessary for sole source procurement of equipment; and

**WHEREAS**, Resolution No. 2022-155 N.C.S. of the Petaluma City Council approved the purchase of pre-submittal costs of \$85,290.00 for thirty Aquaray 40 HO Vertical Lamp System, including lamp modules, power distribution, and data center, interconnecting cables, and automatic cleaning system from Suez Treatment Solutions, Inc. reducing the purchase price total to \$1,182,170.00; and

**WHEREAS**, the Water Recycling Facility and River Access Improvements Project Final Environmental Impact Report, which included the development of the ECWRF (State Clearinghouse #2001052089) was certified on August 5, 2002, by City Council as Resolution No. 2002-135 N.C.S., with addenda prepared in 2004, 2005, 2006, 2007, twice in 2016; 2022 and

**WHEREAS**, the North Bay Water Reuse Authority (NBWRA) Phase 2 Final Environmental Impact Report/Environmental Impact Statement (State Clearinghouse #2017072051) was certified on August 14, 2018, by the NBWRA of which the City of Petaluma is a member agency; and

**WHEREAS**, there is sufficient funding for the project in the Wastewater Enterprise funds and through a Department of Water Resources grant and a Bureau of Reclamation grant via NBWRA; and

**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 compliance with the California Environmental Quality Act (CEQA) for the Ellis Creek Tertiary Filtration Expansion Project – UV Disinfection Equipment Project was previously completed with, the Water Recycling Facility and River Access Improvements Project Final Environmental Impact Report (EIR), which included the development of the ECWRF (State Clearinghouse #2001052089) and was certified on August 5, 2002, by City Council as Resolution No. 2002-135, with addenda prepared in 2004, 2005, 2006, 2007, twice in 2016; 2022, the North Bay Water Reuse Authority Phase 2 Final Environmental Impact Report/Environmental Impact Statement (State Clearinghouse #2017072051), and the installation of equipment that is exempt pursuant to CEQA Guidelines Section 15301 (Existing Facilities).
3. In accordance with the City of Petaluma Charter and Municipal Code, California Public Contract Code Section 20162, and other applicable laws waive any and all non-conformance in the bid of C. Overaa & Co. for the Ellis Creek Tertiary Filtration System Expansion Project – UV Disinfection Equipment, project No. C66401416 finds that C. Overaa & Co. is the lowest responsible bidder with a bid of \$3,061,000.00.
4. Awards the contract for the Ellis Creek Tertiary Filtration System Expansion Project – UV Disinfection Equipment, project No. C66401416, to C. Overaa & Co., in the amount of \$3,061,000.00, the amount of the lowest responsive bid, conditioned on C. Overaa & Co.'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.
5. Authorizes and directs the City Manager to execute the project contract on behalf of the City of Petaluma contingent upon timely submission by C. Overaa & Co., 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.
6. Approves a construction contract contingency of \$800,000 for the Ellis Creek Tertiary Expansion Project, inclusive of Phases 1 and 2, UV Channel Coating, and UV Disinfection Equipment.

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 9<sup>th</sup> day of January 2023, by the following vote:

Approved as to  
form:

\_\_\_\_\_  
City Attorney

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor