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DATE: September 18, 2023

TO: Honorable Mayor and Members of the City Council through City Manager

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SUBJECT: Resolution Authorizing Award of Contract for Turning Basin Floating Dock and Pile Installation to the Dutra Group

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### **RECOMMENDATION**

It is recommended that the City Council adopt the attached resolution authorizing award of contract for the Petaluma River Turning Basin Floating Dock and Pile Installation to The Dutra Group.

### **BACKGROUND**

The City completed maintenance dredging of the Turning Basin as well as an initial phase of dredging of the Petaluma Marina in 2022. Dredging of the Turning Basin required the removal of the existing wooden floating docks that were originally installed in the early 1980s. These docks were nearing the end of their useful life, in disrepair, and not suitable to be reinstalled following dredging. An engineering analysis also determined that the existing support piles are in degraded condition and recommended replacement. The existing piles were left in place in 2022 since they did not need to be removed for the dredging. They will be removed, and new piles will be installed as part of the dock replacement project.

On May 1, 2023, the City Council approved the award of the Turning Basin Dock Fabrication contract to Bellingham Marine, Inc. per Resolution No. 2023-059 N.C.S. That contract included the design and fabrication of approximately 475 feet of pre-engineered concrete floating dock sections, the supply of three power and water pedestals, and two ADA-compliant gangway ramps.

The Petaluma River Turning Basin Floating Dock and Pile Installation contract, recommended for award under the attached Resolution, will include the removal of the existing piles, installation of the new floating docks, installation of two gangways, and installation of 14 new support piles within the Petaluma River Turning Basin.

## **DISCUSSION**

The Petaluma River Turning Basin Floating Dock and Pile Installation Project was bid on June 16, 2023, through the issuing of a Notice Inviting Bids. The bid opening took place on August 10, 2023, and two (2) bids were received. The breakdown of received bids is shown below:

<b>Name of Bidder</b>	<b>Base Bid Total</b>
<b>The Dutra Group*</b>	<b>\$ 1,297,300.00</b>
Bellingham Marine Industries, Inc.	\$ 2,245,252.00
<b>Engineer's Estimate</b>	<b>\$ 1,458,000.00</b>

**\*Lowest Responsible Bidder**

The lowest responsible bidder, The Dutra Group, has over 49 years of experience performing marine construction including floating docks and pile installation similar in nature to the work required for the Petaluma Turning Basin Floating Dock and Pile Installation Project. The Dutra Group has performed similar recent projects for other public agencies and private entities including the Pier 39 Limited Partnership in San Francisco, California; the U.S. Army Corps of Engineers in Sacramento, California; and the San Francisco Recreation and Parks Department in San Francisco, California. Staff verified that the contractor possesses a valid Class A (General Engineering Contractor) license, number 295128, which expires on 12/31/2023, that qualifies the contractor to perform the work. The contractor's license includes the following additional classifications: C-10 (Electrical).

It is recommended that the Council adopt the resolution awarding the contract to the bidder, The Dutra Group, for a base bid of \$1,297,300.00, along with two optional bid items, bid alternates #1 and #2, which total \$98,000.00 for a total contract award of \$1,395,300.00. The optional bid items recommended for award include an optional pile installation method known as "rock socketing" which may be necessary if it is determined that the soils in the pile driving location are not suitably dense to support the pile, and the cost for an additional steel pile should it be necessary. Should these optional bid items not be used, the City will issue a deductive change order to remove them from the project scope at a later date.

The contract bid documents include three additional optional bid items, bid alternates #3, #4, and #5. Bid alternate #3 was for the installation of gates on the gangways and is not recommended for award due to the high price provided by the bidder and determining the gates could be procured and installed at a future time at a lower cost. Bid alternates #4 and #5 provide pricing to cover the contractor's costs to remobilize for construction in 2024 if final project permits are not obtained in time to construct the project during the 2023 environmental permitting construction window. All project permits have been obtained, except for the final permit from the U.S. Army Corps of

Engineers. It is recommended that the Council authorize the City Manager to award optional bid items #4 and #5 in the event the last outstanding permit is not issued on time for construction in 2023.

## **PUBLIC OUTREACH**

City staff have developed a community and stakeholder outreach strategy for the dock replacement project that builds on earlier outreach work completed during the dredging project. Staff began outreach to stakeholders in February 2023 about the upcoming dock replacement project. Key stakeholders such as the Petaluma Yacht Club, Petaluma Small Craft Center (PSCC), Rowing Club, the Petaluma Downtown Association, and neighboring residents and businesses along both sides of the river will all be included in outreach efforts.

Staff has implemented a project website and will include information about the dock replacement project in Community Update emails at appropriate times for notifications and updates. Impacts of the project will include the temporary closure of the west gangway, which will impede access to the Petaluma Small Craft Center Floathouse dock during a portion of construction. The duration of this impact will be shortened to the extent possible. Other impacts include partial closure of the Turning Basin to recreational boaters during construction and some noise impacts to neighboring businesses surrounding the Turning Basin. Unlike the dredging, the dock replacement project will not significantly impact traffic on D Street at the D Street Bridge; however, there will likely be a few D Street bridge openings to allow equipment into the turning basin during construction.

Channels of providing information and updates to the community and stakeholders throughout the project will include posting in the Community Updates, a dedicated project website, signage at the project site on both sides of the Turning Basin, signage on buoys in the water for boaters, postcards, social media, and a press release.

Additionally, this agenda item appeared on the City's tentative agenda document on August 7, 2023, which was a publicly-noticed meeting.

## **COUNCIL GOAL ALIGNMENT**

The City Council has identified "An Economy That Prospers" as one of its key strategic initiatives for 2021-2023. This recommended action supports the following Workplan items:

*#119. Establish bicycle and walking paths and other river access amenities along the Petaluma River as identified in the River Access and Enhancement Plan.*

## **CLIMATE ACTION/SUSTAINABILITY EFFORTS**

This proposed action supports the above goals with the installation of new floating docks and gangways in 2023. The new floating docks and ADA-accessible gangways will improve access and safety for recreation and public uses including boating, kayaking, and pedestrian and bike use.

The project will remove the existing timber support piles that are contaminated with creosote preservatives, and replace them with stainless steel pilings, eliminating a source of pollution to the Turning Basin and Petaluma River. The docks will be fabricated with non-ferrous structural materials and therefore will not be subject to rust and deterioration in the brackish water and will thus have a greater life span and lower maintenance requirements. Utilities serving the docks will be installed within a protected conduit “raceway” embedded into the docks with surface access hatches. The embedded utility conduit will provide a longer life span and minimize maintenance impacts for the power and water utilities. Previously the utilities were mounted under the docks in the water and were subject to frequent damage and repair needs that required divers to go beneath the docks to make repairs. This will also help the City respond to and address any leaks more quickly, which will also help reduce water waste.

## **ENVIRONMENTAL REVIEW**

The project is eligible for categorical exemptions under California Environmental Quality Act (CEQA) Guidelines Section 15301 (Class 1), which applies to projects consisting of repair and maintenance of existing structures, and Section 15302 (Class 2), which applies to projects consisting of replacement or reconstruction of existing structures where the new structure will be located on the same site and will have substantially the same purpose as the structure being replaced. 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. Therefore, the project is exempt under Section 15301 (c), repair and maintenance to existing facilities, and Section 15302 (c), replacement or reconstruction of an existing public facility as demonstrated by the Exemption Memorandum, dated May 5, 2023 (Attachment 3 hereto). The City filed a Notice of Exemption on June 2, 2023 (Attachment 4 hereto) with the County of Sonoma for the Project to City Council subsequent to the City Council’s May 1, 2023, action awarding contract for the fabrication. Accordingly, the environmental review was already completed and the statute of limitations to challenge the City under CEQA has run.

## **FINANCIAL IMPACTS**

Funding will be provided by the Measure U Fund in the amount of \$950k and the remaining portion of approximately \$2.6m will be funded by an interfund loan from the Waste Water Enterprise Fund. The Waste Water Fund was selected as the funding source for this project because it has the resources to finance the loan given the proposed payback period. It is estimated that the \$2.6m loan will be paid back in annual payments from the Transient Occupancy Tax fund of \$309,485 for 10 years at a 3.3% interest rate. The Waste Water fund currently has sufficient resources to loan for this project. The interest rate earned by the Waste Water fund is slightly higher than the rate of interest earned in the City’s investment portfolio. The interest rate paid by the Transient Occupancy Tax Fund is less than what would be paid through more traditional financing.

The total budget for this phase of the project is projected to be approximately \$3,510,350 through FY 23/24.

The following is a breakdown of the project budget:

<b>Itemized Budget Breakdown Uses</b>	<b>Approved Total Project Budget (C14402010) (FY 2023/24)</b>	<b>Proposed Petaluma Turning Basin Dock &amp; Pile Replacement Budget</b>
Design/Planning/Environmental	\$ 190,000	\$ 234,000
Administration / Legal	\$ 8,000	\$ 8,000
Construction Contracts	\$4,000,000	\$2,620,350
Construction Management	\$ 103,000	\$ 200,000
Contingency	\$ 860,000	\$ 350,000
CIP Overhead	\$ 98,000	\$ 98,000
<b>TOTAL</b>	<b>\$5,259,000</b>	<b>\$3,510,350</b>

<b>Funding Sources</b>	<b>FY 23/24 Approved CIP Total Project Budget</b>
Parkland Impact Fees	
General Fund-Measure U	\$ 950,000
Traffic Impact Fees	
Transient Occupancy Tax	
Storm Drainage Utility Fee	
Interfund Loan from the Waste Water Enterprise Fund	\$2,560,350
<b>TOTAL</b>	<b>\$3,510,350</b>

## **ALTERNATIVES**

If the Council does not authorize this resolution, the City will not proceed with the dock and pile installation contract and will not replace the Turning Basin docks in the 2023 environmental window. Since the City is already under contract to fabricate the docks, the City would incur significant costs for storage of the manufactured concrete float sections until a later date.

## **ATTACHMENTS**

1. Resolution
2. Project Location Map
3. Exemption Justification for Project (May 2023)
4. CEQA Notice of Exemption (June 1, 2023)
5. Interfund Loan