

**RESOLUTION R2024-XX**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA (1) AUTHORIZING THE PUBLIC WORKS DIRECTOR TO AWARD A CONSTRUCTION CONTRACT TO, AND EXECUTE A CONSTRUCTION CONTRACT WITH, ACTION TARGET, INC., FOR THE PURCHASE AND INSTALLATION OF TWO BULLET TRAPS AND SIX ELECTRONIC TARGETS AT THE POLICE DEPARTMENT SHOOTING RANGE LOCATED AT 2295 MONTICELLO ROAD IN THE AMOUNT OF \$266,450.00; (2) AUTHORIZING THE PUBLIC WORKS DIRECTOR TO APPROVE CHANGE ORDERS FOR PROJECT SERVICES UP TO \$44,645.00 FOR A TOTAL PROJECT AMOUNT NOT TO EXCEED \$311,095.00; AND (3) DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA.

WHEREAS, Police Department and Public Works Department staff researched and vetted the necessary performance parameters to install two bullet traps and six electronic targets at the Police Department Shooting Range Project (9017FR17) ("Project"); and

WHEREAS, staff has determined that pursuant to Napa Municipal Code (NMC) Section 2.91.050 Action Target, Inc. ("ATI") is the sole vendor that can fabricate and install the bullet traps and electronic targets that meets the City's performance requirements; and

WHEREAS, staff recommends that the City Council award a contract to ATI for a total amount of \$266,450.00 and determine that the proposed contract satisfies the exception for specialty items in NMC Section 2.91.050; and

WHEREAS, the construction budget consists of \$44,645.00 in additional funding for contingency, contract administration, construction management, and inspection (amounts are interchangeable) for a total amount of \$311,095.00; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

## ATTACHMENT 1

2. The City Council hereby determines that the actions authorized by this Resolution are exempt from CEQA, pursuant to CEQA Guidelines Section 15301 (d), which exempts restoration or rehabilitation of deteriorated structures, facilities, or mechanical equipment to meet current standards of health and safety.

3. The City Council hereby authorizes the Public Works Director to award a construction contract to, and execute a construction contract with ATI, for the Police Department Shooting Range Project in the amount of \$266,450.00.

4. The City Council hereby determines that the proposed agreement satisfies the requirements for a specialty item in NMC Section 2.91.050 based on the following:

- a. *The project need which the City intends to satisfy through the contract for the specialty item. This includes a functional description (or performance criteria) of the City's needs.*

The City is purchasing two bullet traps to replace earthen berms that were previously used for firearms training. The performance for the equipment must meet the requirements of the Police Department and those for an outdoor shooting facility. The design, fabrication, delivery, and installation of the equipment must be performed by ATI to ensure experienced personnel are provided who are knowledgeable about the equipment's installation.

- b. *The types of property or service which are available (or used by other similarly situated private or public agencies) to meet this need (or similar needs), and the contractors which are available to provide the property or service.*

Qualified, third-party, independent vendors/contractors who specialize in the design, fabrication, delivery, and installation of bullet traps and shooting structures. ATI previously installed a bullet trap at the Police Department Shooting Range as authorized by Council Resolution R2023-140.

- c. *The reasons why it is impracticable for a similar property or service to meet the City's needs (including considerations of compatibility with other City property and services regarding maintenance, repair, training, quality, price, or similar considerations); or why the City's needs can only be met by one unique or proprietary type of property or service (the specialty item).*

ATI has demonstrated through a previous contract with the City that they provide their patented equipment and services that no other single vendor can provide.

## ATTACHMENT 1

- d. *By entering into a contract for the specialty item from the proposed contractor, the City will meet the purpose and goals identified in NMC Section 2.91.010(D).*

The City will meet the purpose and goals identified in Section 2.91.010(D) by contracting with ATI for bullet trap delivery because ATI will design, fabricate, deliver, and install the bullet trap utilizing qualified contractors guaranteed to understand ATI equipment. This will result in efficient project delivery which therefore will achieve a cost-effective and high-quality project for the community.

- e. *The contract complies with the requirements of NMC Section 2.91.030(B).*

Pursuant to NMC Section 2.91.030(B)(2), (a) the contract with ATI will be approved as to form by the City Attorney, (b) as determined by the City Auditor, there are sufficient unencumbered funds to cover the cost of the contract, and (c) the City Council will authorize the Public Works Director to enter into the contract.

5. The City Council hereby authorizes the Public Works Director to execute construction contract change orders, and authorizes the charge of contract administration, construction management, and inspection up to \$44,645.00 for a total project amount not to exceed \$311,095.00.

6. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 19<sup>th</sup> day of November, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_

Tiffany Carranza

City Clerk

Approved as to form:

---

Christopher Diaz  
Interim City Attorney