

RESOLUTION R2019-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE UTILITIES DIRECTOR TO NEGOTIATE AND EXECUTE A DESIGN-BUILD AGREEMENT WITH MYERS AND SONS CONSTRUCTION, LLC IN AN AMOUNT NOT TO EXCEED \$3,273,600, FOR DESIGN AND CONSTRUCTION SERVICES FOR REPLACEMENT OF THE HILLCREST AND SILVERADO PUMP STATIONS; APPROVING THE TRANSFER OF APPROPRIATIONS FROM WATER FUND CAPITAL IMPROVEMENTS RESERVE TO FUND THE PROJECT AND TEMPORARY OPERATIONS; AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, Napa Municipal Code Section 2.91.070 authorizes the City to enter into contracts with design-build entities for any combination of services needed for the design and construction or manufacture of a project provided that City Council makes a written determination that the proposed contract complies with certain requirements; and

WHEREAS, the City of Napa experienced the Atlas Fire and Partrick (later renamed to Nunns) Fires in October 2017; and

WHEREAS, the water system relies on water storage tanks and nine pump stations to supply customers in hillside areas; and

WHEREAS, the City suffered the loss of the Hillcrest Pump Station and the Silverado Highlands Pump Station, both critical potable water pump stations as a result of the Atlas Fire; and

WHEREAS, the City Water Division has incurred and continues to incur significant staff time and rental costs to operate, fuel, and maintain portable pumps and generators to ensure reliable water supply to affected customers; and

WHEREAS, in March 2019, City staff issued a Request for Proposals ("RFP") from Design-Build contractors and on May 9, 2019 received three proposals; and

WHEREAS, staff has reviewed the proposal submissions, conducted interviews with the bidders, and concluded that the design-build team represented by Myers & Sons Construction, LLC. offers the best overall value to the City based on the selection criteria identified in the RFP; and

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WHEREAS, the reconstruction of the Hillcrest and Silverado Pump Stations is necessary to ensure safe and reliable water delivery for customers in the affected area; and

WHEREAS, the Water Fund Capital Improvement Project Reserve is available to address capital improvement project funding needs; 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.

2. The City Council hereby determines that the action authorized by this Resolution are exempt from CEQA pursuant to CEQA Guidelines Section 15301(b) which exempts the operation, repair, maintenance or minor alteration of existing facilities of a utility involving negligible or no expansion of use.

3. Pursuant to Napa Municipal Code Section 2.91.070, the City Council hereby makes the following determinations in support of the authorization set forth in this Resolution for the Utilities Director to negotiate the final scope of work and price for a Design-Build Contract to complete the construction of two water system pump stations:

A. The City's goals for the proposed project will be more cost effectively achieved through a design-build contract, as compared to the City's formal bidding process, after taking into consideration (for all combined services and property needed for the project): costs; timing; project quality and delivery.

Findings: Using the formal bidding process would have required separate structural, mechanical and civil design contracts with City staff coordinating the design, permitting and construction management efforts. The design-build process more efficiently and cost-effectively placed all design efforts under a single entity that is also responsible for constructing, inspection, testing and coordination with ongoing operations.

B. The City actively solicited proposals from design-build entities in a manner that effectively requested competitive proposals from entities qualified and available to successfully complete the proposed project under a design-build contract.

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Findings: Request for Proposals from Design-Build contractors were actively advertised on the Public Purchase portal which conforms to State and City Public Contracting Laws for competitive bidding.

C. After evaluating the respective qualifications and proposals submitted by competitive proposers, and after negotiating contract terms with the apparently successful design-build entity, the City selected the design-build entity on a “best value” basis that will most cost effectively achieve the City’s goals for the proposed project, after considering: the criteria set forth in paragraph A above; the feasibility and likelihood of success of the design-build entity’s approach to the project; overall price (including initial costs and life cycle costs); schedule; the design-build entity’s experience, training, and qualifications (including an evaluation of references on similar projects related to responsiveness, timeliness, quality of work, and overall performance); the design-build entity’s capacity, capability, and financial stability to complete the project; and overall responsiveness to the City’s RFP.

Findings: Myers and Sons Construction, LLC has extensive experience with the type and scope of construction activities included in the Design-Build Contract. Their team includes a multi-discipline design firm that has partnered with Myers and Sons, LLC on previous design-build projects. Their price quote was the second lowest proposal.

D. The contract between the design-build entity and the City: (a) meets the purpose and goals identified in Subsection 2.91.010(D) of Napa Municipal Code Chapter 2.91, and (b) complies with the requirements of Subsection 2.91.030(B) of Napa Municipal Code Chapter 2.91.

Findings: Yes, the contract meets the goals of the Napa Municipal Code and provides the best value to the City with a qualified contractor to deliver the Design-Build services in a timely and cost-effective manner.

4. The City Council hereby authorizes the Utilities Director to negotiate and execute a Design-Build Contract with Myers and Sons Construction, LLC in an amount not to exceed \$3,273,600 for design and construction services and \$250,000 for ongoing temporary operations to replace Hillcrest and Silverado Pump Stations; and authorizes the transfer of \$1,749,408 from CIP reserve account 53000-25002 to CIP account DR17FR01 and \$1,515,999 from CIP reserve account 53000-25002 to CIP account DR17FR02 to fully fund the project, as follows:

Sources

\$ 104,392	Water Non-Recurring Unassigned Fund Balance; Insurance revenue received in FY2017/18 for Pump Station at Hillcrest (53900-25399)
<u>\$1,749,408</u>	Water Fund CIP Reserve Account (53000-25002)

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\$1,853,800 Subtotal Pump Station at Hillcrest

\$ 153,801 Water Non-Recurring Unassigned Fund Balance; Insurance revenue received in FY2017/18 for Pump Station at Silverado (53900-25399)

\$1,515,999 Water Fund CIP Reserve Account (53000-25002)

\$1,669,800 Subtotal Pump Station at Silverado

\$3,523,600 Total

Uses

\$1,853,800 Pump Station at Hillcrest (53942-DR17FR01-57601)

\$1,669,800 Pump Station at Silverado (53942-DR17FR02-57601)

\$3,523,600 Total

4. The City Council hereby authorizes the Utilities Director to negotiate and execute a design-build contract for the replacement of two water system pump stations.

5. 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 6th day of August, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney