

RESOLUTION R2026-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, (1) APPROVING AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE CONTRACTS WITH 4 BROTHERS TRUCKING LLC AND USA TRUCKING INC., FOR TASK-ORDER BASED TRUCKING SERVICES IN AN AMOUNT NOT TO EXCEED \$1,500,000 EACH; AND (2) DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA.

WHEREAS, the City of Napa (“City”) requires trucking services, set forth in the contracts attached hereto as Exhibit A and Exhibit B (collectively the “Contracts”); and

WHEREAS, the City Council's award of a contract and all of the acts leading up to the award are legislative in character, and the letting of contracts by the City Council necessarily requires an exercise of discretion guided by consideration of the public welfare (Mike Moore's 24-Hour Towing v. City of San Diego, 45 Cal.App.4th 1294, 1303 (1996)); and

WHEREAS, competitive bidding is not applicable “where competitive proposals work an incongruity and are unavailing as affecting the final result, or where competitive proposals do not produce any advantage, or where it is practically impossible to obtain what is required and to observe such form” (Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal.App.3d 631, 636); and

WHEREAS, City Staff reports that procuring the services set forth in the Contracts through competitive bidding would work an incongruity, and are unavailing as affecting the final result, not produce any advantage, or it is practically impossible to obtain what is required and to observe such form, for the following reasons; and

WHEREAS, the City requires on-call trucking services to support ongoing and variable operational needs, including street paving performed by City crews and water treatment operations, which cannot be defined in a fixed scope suitable for traditional low-bid contracting; and

WHEREAS, it is in the best interest of the City to utilize master task order–based contracts rather than bidding separate contracts for each individual project, as this approach maintains flexibility, reduces administrative delay, and supports the City’s paving schedule; and

WHEREAS, procuring separate project-specific contracts would be impractical and would hinder the City’s ability to coordinate trucking services in real time with in-house paving crews, resulting in inefficiencies and potential delays to critical infrastructure work; and

ATTACHMENT 1

WHEREAS, a competitive Request for Proposals process allowed the City to evaluate qualifications, availability, equipment, and pricing to obtain best overall value, which would not be achieved through traditional low-bid contracting; and

WHEREAS, the awarding of contracts to two (2) qualified contractors will ensure adequate capacity, availability, and timely response to meet overlapping and time-sensitive operational demands; 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 awards the Contracts as set forth in Exhibit A and Exhibit B.
3. The City Council hereby authorizes the Public Works Director to execute the Contracts as set forth in Exhibit A and Exhibit B.
4. The City Council hereby determines that the actions authorized by this Resolution are exempt from CEQA pursuant to CEQA Guidelines Section 15301, which exempts the operation, maintenance, and repair of existing public facilities involving negligible or no expansion of existing use.
5. Severability. If any section or provision of this Resolution is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Resolution shall remain valid. The City Council hereby declares that it would have adopted this Resolution, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravene legislation.
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 19th day of May, 2026, by the following vote:

ATTACHMENT 1

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Christopher Diaz
Interim City Attorney