



111 E. COMMERCIAL STREET
WILLITS, CALIFORNIA 95490
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**WILLITS CITY COUNCIL
AGENDA
SPECIAL MEETING
AUGUST 4, 2010 ♦ 4:30 P.M. ♦ COUNCIL CHAMBERS**

1. **OPENING MATTERS** – a) Call to Order; b) Roll Call
2. **CLOSED SESSION NOTICE**
 - a. Conference with Legal Counsel Pursuant to Government Code Section 54956.9 – Existing Litigation: Brooktrails Township Community Services District, a Public Agency vs. City of Willits, a General Law City; and DOES 1 through 100, Inclusive; Case No. SCUJ CVG-1056037
3. **DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION APPROVING THE AWARD OF CONSTRUCTION CONTRACT TO C. OVERAA & CO. FOR THE WILLITS WASTEWATER TREATMENT PLANT PROJECT, STAGES II AND III**
4. **DISCUSSION AND POSSIBLE APPROVAL OF CONTRACT AMENDMENT NO. 6 TO SHN CONSULTING ENGINEERS FOR PROJECT MANAGEMENT AND RESIDENT PROJECT INSPECTOR SERVICES FOR THE WILLITS WASTEWATER TREATMENT PLANT PROJECT, STAGES II AND III**
5. **ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Willits City Hall, located at 111 East Commercial Street, Willits, California, not less than 24 hours prior to the meeting set forth on this agenda.

*Dated this 3rd day of August, 2010.
Adrienne Moore, City Clerk*

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE

The meeting room is wheelchair accessible and disabled parking is available. If you are a person with a disability and need disability-related modifications or accommodations to participate in this meeting, please contact Adrienne Moore at (707) 459-7120 or Fax (707) 459-1562. Requests for such modifications or accommodations must be made at least two full business days prior to the meeting.

ADDITIONAL MEETING INFORMATION FOR INTERESTED PARTIES

Materials related to an item on this Agenda submitted to the Willits City Council, Planning Commission, or Community Development Agency after distribution of the agenda packet are available for public inspection at City Clerk's office at 111 E. Commercial Street, Willits, during normal business hours.



Item No. 3

Meeting Date: August 4, 2010

AGENDA SUMMARY REPORT

To: Honorable Mayor and Council Members

From: Joanne Cavallari, Finance Director

Agenda Title: DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION APPROVING THE AWARD OF THE CONSTRUCTION CONTRACT TO C. OVERAA & CO. FOR THE WILLITS WASTEWATER TREATMENT PLANT PROJECT, STAGES II AND III

Type: Presentation Consent Special Meeting Agenda Public Hearing Urgent

Summary of Request: In December of 2009, the City of Willits received the final plans and specifications from SHN Consulting Engineers & Geologists, Inc. (SHN), for the Willits Wastewater Treatment Plant Project Stages II and III – Secondary Treatment System & Enhancement Wetlands. Subsequently, the plans were forwarded to the United States Department of Agriculture (USDA), funding agency for the project, with a request for authorization to bid the project.

In February 2010, the USDA accepted the plans and specifications and gave the City authorization to advertise the project. Thereafter, in March 2010, Staff advertised the project in several trade journals, in the Willits News, and in the Santa Rosa Press Democrat, for a duration of 60 days. The project received very heavy interest, from a wide array of contractors, and after a very successful bidding period bids were opened on May 24, 2010.

Twelve (12) bids were received at bid opening and the following is a summary of such bids:

1	<u>C. Overaa & Co.</u>	<u>\$ 11,096,000.00</u>
2	<u>Granite Construction Company</u>	<u>\$ 11,624,296.00</u>
3	<u>RGW Construction, Inc.</u>	<u>\$ 11,875,000.00</u>
4	<u>Syblon Reid</u>	<u>\$ 12,110,000.00</u>
5	<u>K.G. Walters Construction Co., Inc.</u>	<u>\$ 12,339,000.00</u>
6	<u>Auburn Constructors</u>	<u>\$ 12,490,300.00</u>
7	<u>F & H Construction</u>	<u>\$ 12,774,000.00</u>
8	<u>Ford Construction Company, Inc.</u>	<u>\$ 13,301,100.00</u>
9	<u>Argonaut Constructors, Inc.</u>	<u>\$ 13,330,000.00</u>
10	<u>Gateway Pacific Contractors, Inc.</u>	<u>\$ 13,449,589.00</u>
11	<u>Pacific Mechanical Corporation</u>	<u>\$ 14,577,000.00</u>
12	<u>Western Water Constructors, Inc.</u>	<u>\$ 15,072,000.00</u>

As identified above, the apparent low bidder for this project, is C. Overaa & Company. After receiving the bids, the City did a complete review of all bids received and determined that C. Overaa & Co., submitted all required documentation and complied with the requirements of submitting a responsive, responsible bid. After the internal review was conducted, Staff forwarded the top three (3) bids to SHN for review, with a request for an Engineer's Letter of Recommendation.

After SHN completed their review, they recommended award to C. Overaa & Co., indicating they were satisfied with their experience related to this type of work.

Once the Engineer's Recommendation was received, the City forwarded C. Overaa & Company's bid to the USDA for the final approval to award. Subsequently on June 30, 2010, USDA concurred with SHN's recommendation and authorized the City to award the construction contract to C. Overaa & Company, for the not-to-exceed amount of \$11,096,000; therefore, Staff recommends awarding the contract for the Willits Wastewater Treatment Plant Project, Stages II and III – Secondary Treatment System and Enhancement Wetlands, to C. Overaa & Co., for the not-to-exceed amount of \$11,096,000.

Recommended Action: Adopt the resolution awarding the construction contract for the Willits Wastewater Treatment Plant Project, Stages II and III, to C. Overaa & Co., for the not-to-exceed amount of \$11,096,000.

In addition, upon recommendation of the City Engineer, authorize the City Manager or his designee to approve change orders no greater than 10% of the total contract amount.

Alternative(s): Award the construction contract for the Willits Wastewater Treatment Plant Project, Stages II AND III to the next lowest bidder.

Fiscal Impact: The most recent budget, compiled on June 22, 2010, estimates the total project cost for all three stages of this project, from environmental to design and construction to be \$23,861,284. Of this amount, \$7,005,949 has been expended to date and \$16,555,353 remains to be expended.

Of the total amount expended to date, the City's portion was \$504,915, and the remaining portion of \$6,501,034 was funded by a combination of sources, including loans from the USDA, a grant from the State Water Resources Control Board, and a grant from the Environmental Protection Agency. The remaining unexpended amount of \$16,555,353 is expected to be funded with loans from the USDA.

The remaining expenses in the amount of \$16,555,353, are broken down, as follows:

Administrative/Legal	\$ 183,181.00
Engineering & Design (Stages 1, 2 and 3)	\$ 1,193,316.00
Environmental/Permits/Inspection	\$ 720,619.00
Stage II & III Construction – Pipe Replacement	\$ 20,000.00
Stage II & III Construction – C. Overaa & Co.	\$ 11,096,000.00
Contingency/Escalation	\$ 3,342,219.00

Personnel Impact: There will be some impact on personnel related to contract administration. Additionally, thru the budget process for FY2010/11, the City received authorization to hire an Owner's Representative to perform Construction Management Services. The City Engineer is in the process of collecting proposals for such work.

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____

RESOLUTION NO. 2010-___

RESOLUTION OF THE WILLITS CITY COUNCIL AWARDING A CONSTRUCTION CONTRACT TO C. OVERAA & COMPANY OF RICHMOND, CALIFORNIA, FOR THE CONSTRUCTION OF THE WILLITS WASTEWATER TREATMENT PLANT PROJECT, STAGES II AND III – SECONDARY TREATMENT SYSTEM AND ENHANCEMENT WETLANDS

WHEREAS, the City of Willits' Wastewater Treatment Plant has been operating under Cease and Desist Order No. R1-2006-0108; and

WHEREAS, Stage I of this project was completed in August 2009; and

WHEREAS, the scope of work for Stage II and III of the project includes the construction of a wastewater secondary treatment system and enhancement wetlands; and

WHEREAS, the City publicly advertised Stage II and III of the project from March 24, 2010 to May 24, 2010; and

WHEREAS, bids were opened on May 24, 2010, with twelve (12) bids received; and

WHEREAS, C. Overaa & Company was the lowest bidder; and

WHEREAS, the bid analysis indicates that the bid is responsive and competitive, the contractor has good references, and has sufficient experience with similar projects; and

WHEREAS, Staff, the Design Engineer, and the United States Department of Agriculture, recommends that this contract 2010-02, for the Willits Wastewater Treatment Plant Project Stages II and III – Secondary Treatment System and Enhancement Wetlands, be awarded to the low bidder, C. Overaa & Company, for the not-to-exceed amount of \$11,096,000; and

WHEREAS, the funding for the remaining expenses of this project, in the amount of \$16,555,353 will be funded by the USDA, with no anticipated expense to the City.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1) The City Council awards a construction contract to C. Overaa & Company, for the not-to-exceed amount of \$11,096,000, for the Willits Wastewater Treatment Plant Project, Stages II and III – Secondary Treatment System and Enhancement Wetlands, and authorizes the City Manager to execute the contract.

2) The City Manager or his designee is authorized to approve contract change orders in the aggregate of not greater than 10% of the total contract amount.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a special meeting of the City Council of the City of Willits, held on the 4th day of August, 2010, by the following vote:

AYES:
NOES:
ABSENT:

BRUCE BURTON, Mayor
City Council of the City of Willits

ATTEST:

ADRIENNE MOORE
City Clerk



Item No. 4

Meeting Date: August 4, 2010

AGENDA SUMMARY REPORT

To: Honorable Mayor and Council Members

From: Joanne Cavallari, Finance Director

Agenda Title: DISCUSSION AND POSSIBLE ACTION APPROVING CONTRACT AMENDMENT NO. 6 TO SHN CONSULTING ENGINEERS FOR PROJECT MANAGEMENT AND RESIDENT PROJECT INSPECTOR SERVICES FOR STAGES II AND III OF THE WILLITS WASTEWATER TREATMENT PLANT PROJECT

Type: Presentation Consent Special Meeting Agenda Public Hearing Urgent

Summary of Request: On September 5, 2007, the City entered into an agreement with SHN Consulting Engineers to design improvements to the City's wastewater treatment plant. Stage I of the improvements was completed in August 2009. In December 2009, the final plans and specifications for Stages II and III were completed, and the second phase of the project was successfully bid in May 2010. USDA, the funding agency for the project, has approved the attached amendment with SHN for construction related services for Stages II and III of the project. It was reviewed by the Sewer System Committee on July 6, 2010, who has recommended its approval. This contract amendment is required by USDA in order for the City to move forward with the construction of Stages II and III of the project.

Recommended Action: Approve the Sixth Amendment to the Agreement for Engineering Services with SHN Consulting Engineers & Geologists, Inc., dated September 5, 2007.

Alternative(s): None recommended.

Fiscal Impact: The Contract Amendment provides services and compensation as follows:

Contractor Questionnaires	\$ 10,000
Assist City with WDR, NPDES permit	\$ 10,683
Project Management – Construction	\$ 162,816
Construction Survey	\$ 35,236
Construction Geotech	\$ 25,205
Engineering Support during Construction	\$ 370,196
O & M Manuals	\$ 56,110
Resident Project Representation	\$ 355,642
Special Inspection	\$ 97,345
Permitting and Compliance	\$ 70,082
Total Amendment	\$ 1,193,315

Personnel Impact: There will be some impact on personnel related to contract administration and accounting.

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____