

**RESOLUTION NO. 39-21**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, FOR THE ENGINEERING AND DESIGN SERVICES DURING CONSTRUCTION OF GRIT AND AERATION BASIN CONSTRUCTION PROJECT LOCATED AT THE WASTEWATER TREATMENT PLANT LOCATED IN RICHMOND, CA. AND FOR PROFESSIONAL SUPPORT SERVICES FOR REGULATORY REPORTING REQUIREMENTS FOR THE STATE REVOLVING FUND (SRF) LOAN FROM THE STATE WATER RESOURCES CONTROL BOARD FOR AN AMOUNT NOT TO EXCEED \$4,395,491**

---

**WHEREAS**, in 2016, the City of Richmond, with the assistance from Carollo Engineers, Engineering Solution Services, and Veolia applied for financial assistance in the amount of a \$50M loan from the State of California Clean Water State Revolving Fund (SRF) Loan construct the Grit and Aeration Project at the Wastewater Treatment Plant; and

**WHEREAS**, that funding has been approved by the State and adopted City Council on February 23, 2021 via Resolution 21-21 and is in its final stages of contracting; and

**WHEREAS**, as with most large construction projects, a certain level of engineering services during construction (ESDS) will be required; and

**WHEREAS**, Carollo Engineers drafted both the original Master Plan in 2010 and the Facility Plan update in 2016 and are the Designer of Records for the Grit and Aeration Basin project, they have submitted a bid for the ESDC; and

**WHEREAS**, after a careful review of the bid by (former) Public Works Director Yader Bermudez, Ben Kellman of mack5 City Oversight consultant and Steve Suskind of Veolia, it was determined that the bid was satisfactory; and

**WHEREAS**, staff therefore is requesting to award a sole source contract to Carollo Engineers for the engineering design services during construction; and

**WHEREAS**, in 2019, a Request for Proposal was posted by Veolia Water North America to assist the City with the SRF Loan application process; and

**WHEREAS**, Veolia received three (3) proposals:

- M.F. Whipple and Associates (\$98,800);
- Mehdi Saberi, MS, S.E. Saberi & Associates, Inc. (\$108,000);
- Engineering Solutions Services (\$74,890); and

**WHEREAS**, after a careful review of the proposal submitted, it was determined that Engineering Solutions Services (ESS) was the lowest, most responsive proposal; and

**WHEREAS**, due to continuous delays from the State Waterboard, the SRF Loan was not awarded in 2019 as expected; and

**WHEREAS**, any work performed by ESS (contracted by Veolia and the City) from 2019 to present, has been minimal due to the delays in the loan issuance; and

**WHEREAS**, on January 28, 2021, the California State Waterboard issued the SRF Loan to the City of Richmond; and

**WHEREAS**, in order for the State to reimburse the City, there are many strict regulatory reporting requirements; and

**WHEREAS**, staff will require assistance completing the complex regulatory reports and forms to be submitted to the State Waterboard; and

**WHEREAS**, ESS was the lowest responsive proposal in 2019 and have already started assisting the City and Veolia with the State of California Clean Water State Revolving Fund (SRF) Loan process, the City and Veolia requested a bid from ESS to prepare the reports that will

be required to be submitted to the State Water Resources Control Board ("State Board") on behalf of the City for the construction loan reimbursements; and

**WHEREAS**, based on ESS' uniquely qualified background on the Grit and Aeration Basin Project and the State of California Loan Reimbursement requirements, the City is also requesting to award a sole source contract to provide professional support services; and

**WHEREAS**, the Engineering Services During Construction (ESDC) provided by Carollo Engineers will be **\$3,983,157** (contractor cost of **\$3,194,832** plus a 16.5% Veolia mark-up **\$527,147**), plus a 7.5% contingency of **\$261,178** (**\$239,612** plus a 9% Veolia mark-up of **\$21,565**); and

**WHEREAS**, the Professional Support Services cost provided by ESS for the Project will be **\$412,334** (contractor cost of **\$330,727** plus a 16.5% Veolia mark-up **\$54,570**), plus a 7.5% contingency of **\$27,037** (**\$24,805** plus a 9% Veolia mark-up of **\$2,232**); and

**WHEREAS**, the Water Resource Recovery Division of the Public Works Department will issue a project Task Authorization to Veolia and Veolia Water West Operating Services, Inc. will manage the subcontracts with Carollo Engineers and Engineering Services, Solutions.

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

Section 1. The foregoing recitals are true and correct and this City Council hereby so finds and determines:

Section 2. The City of Richmond will award a Sole Source Contract to Carollo Engineers and Engineering Services Solutions.

Section 3. The Water Resource Recovery Division of the Public Works Department shall appropriate funds from the State Water Resources Control Board State Revolving Loan Fund in the amount of **\$4,395,491** for Fiscal Year 2020-21 budget the Grit and Aeration Basin (WWTP Critical Improvements) Engineering Services During Construction and Professional Support Services.

Section 4. The Contract shall be managed by Veolia Water and the subcontracts will be issued to Carollo Engineers for the Engineering Services During Construction and Engineering Services Solutions for the Grit and Aeration (WWTP Critical Improvements) Project.

Section 5. The total cost of the Grit and Aeration (WWTP Critical Improvements) Project for Engineering Services During Construction (ESDC) provided by Carollo Engineers shall not exceed **\$3,983,157** (contractor cost of **\$3,194,832** plus a 16.5% Veolia mark-up **\$527,147**), plus a 7.5% contingency of **\$261,178** (**\$239,612** plus a 9% Veolia mark-up of **\$21,565**) without City Council approval.

Section 6. The total cost of the Grit and Aeration (WWTP Critical Improvements) Project for the Professional Support Services provided by ESS shall not exceed **\$412,334** (contractor cost of **\$330,727** plus a 16.5% Veolia mark-up **\$54,570**), plus a 7.5% contingency of **\$27,037** (**\$24,805** plus a 9% Veolia mark-up of **\$2,232**).

Section 7. The amount of Veolia's mark-up for the Grit and Aeration (WWTP Critical Improvements) Project shall not exceed **16.5%** on the base contract and **9%** for any change orders.

Section 8. This resolution shall take effect immediately upon its passage.

\*\*\*\*\*

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held April 20, 2021, by the following vote:

AYES: Councilmembers Bates, Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

THOMAS K. BUTT  
Mayor

Approved as to form:

TERESA STRICKER  
City Attorney

State of California            }  
County of Contra Costa        }        : ss.  
City of Richmond            }

I certify that the foregoing is a true copy of **Resolution No. 39-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on April 20, 2021.

  
Pamela Christian, Clerk of the City of Richmond

CLERK'S CERTIFICATE

I, Pamela Christian, City Clerk of the City of Richmond, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of **Resolution No. 39-21** duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 20<sup>th</sup> day of April 2021, of which meeting all of the members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said resolution was adopted by the following vote:

AYES: Councilmembers Bates, Jimenez, Martinez, McLaughlin,  
Willis, Vice Mayor Johnson III, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

An agenda of said meeting was posted before said meeting at City Hall, 450 Civic Center Plaza in the City of Richmond, California, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

Such agenda was further posted and such meeting was conducted in accordance with and pursuant to Executive Order N-29-20, signed by the Governor of the State of California on March 17, 2020 and Executive Order N-35-20, signed by the Governor of the State of California on March 21, 2020.

I have carefully compared the foregoing with the original on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk of the City of Richmond

[SEAL]