

RESOLUTION NO. 116-21

A RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, AUTHORIZING THE APPROPRIATION OF ADDITIONAL BUDGET FROM THE 2019A WASTEWATER BONDS PROCEEDS FOR THE UNANTICIPATED WORK AND ADOPT CONTRACT AMENDMENT NO. 1 FOR BAY HAWK, INC. IN THE AMOUNT OF \$224,750 FOR SEWER PIPELINE REPAIRS AS LISTED IN THE 2018/2019 RISK ASSESSMENT ANALYSIS (RAA) CLEAN-UP PROPOSAL PROJECT LIST FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$598,750

WHEREAS, the City of Richmond entered into a settlement agreement with San Francisco Baykeeper in 2018 due to the fact that the City experiences sanitary sewer overflows during wet rainy weather due to the condition of the City’s sanitary sewer collection system; and

WHEREAS, the City of Richmond agreed within the settlement agreement with San Francisco Baykeeper to make improvements to the City’s sewer collection system by rehabilitating or repairing at least two (2) miles of Grade 5 pipes annually (“Makeup Works”); and

WHEREAS, Veolia, the City’s contract operator, determined these Grade 5 pipes have been identified through closed circuit television (CCTV) inspection; and

WHEREAS, these Grade 5 pipes have been assigned a “Risk Assessment” based on the probability of failure by a licensed engineer; and

WHEREAS, Veolia collectively compiled a list of these Grade 5 pipes to put them to bid; and

WHEREAS, on July 7, 2020, City staff recommended to Council not to utilize Veolia as its project manager on this Makeup Works because of Veolia’s failure to perform on the 2018/2019 RAA Project and failure to comply with the directives of the Public Works Director regarding the scope of the Makeup Work; and

WHEREAS, on July 28, 2020, City Council adopted Resolution 79-20 authorizing the City Manager to execute a contract to the lowest responsible bidder in the amount of \$374,000 (i.e. project bid of \$340,000 and 10% contingency of \$34,000); and

WHEREAS, after review of the bids submitted, it was determined that Bay Hawk, Inc., submitted the lowest responsive bid; and

WHEREAS, after Bay Hawk Inc. conducted the contractual post construction CCTVs, significantly more Grade 5 point repairs were identified (that were not initially identified) and would need to be repaired in order for these segments to be in compliance with the Baykeeper Settlement Agreement; and

WHEREAS, the additional cost for these repairs is \$224,750; and

WHEREAS, this work was critical to be completed in order to remain in compliance with the Baykeeper Settlement Agreement.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Richmond authorizes appropriating additional funding in the amount of \$224,750 to cover the cost of the additional unanticipated work and accept the construction contract from Bay Hawk Inc. for pipeline repairs as required in the Baykeeper FY 2018/2019 Risk Assessment Analysis for a total amount not to exceed the amount of \$598,750.

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held October 5, 2021, by the following vote:

AYES: Councilmembers Bates, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt.
NOES: None.
ABSTENTIONS: Councilmembers Jimenez and Martinez.
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. 116-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on October 5, 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. 116-21** 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 5th day of October 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, McLaughlin, Willis, Vice Mayor Johnson III, and Mayor Butt.
NOES: None.
ABSTENTIONS: Councilmembers Jimenez and Martinez.
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.

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: October 13, 2021



City Clerk of the City of Richmond

[SEAL]