

**RESOLUTION NO. 88-22**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, TO INCREASE THE PROJECT CONTINGENCY ALLOCATION FOR THE GRIT AND AERATION BASIN (WWTP CRITICAL IMPROVEMENTS) PROJECT LOCATED AT THE WASTEWATER TREATMENT PLANT LOCATED IN RICHMOND, CA IN THE AMOUNT OF \$3,500,000 FOR AN AMOUNT NOT TO EXCEED \$45,606,488**

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**WHEREAS**, the City of Richmond and Veolia Water (Veolia) have implemented the High Priority Critical Improvements Projects at the City's Wastewater Treatment Plant (WWTP), which is managed and operated by Veolia; and

**WHEREAS**, the purpose of the projects are to replace aging and unreliable infrastructure, improve treatment operating efficiency, comply with future discharge regulations, and improve the functionality of the existing WWTP; and

**WHEREAS**, the improvements were identified through previous planning efforts, including the 2010 WWTP Master Plan and the 2016 WWTP Facility Plan; and

**WHEREAS**, the Grit and Aeration Basin (WWTP Critical Improvements) Project will improve the efficiency of the WWTP; and

**WHEREAS**, this will allow the City to remain in compliance with its National Pollutant Discharge Elimination System Permit (NPDES); and

**WHEREAS**, on September 15, 2020, the Water Resource Recovery Division of the City Public Works Department and Veolia Water West Operating Services, Inc. issued a Request for Bids to Construction Contractors for the construction project of the Grit and Aeration Basin (WWTP Critical Improvements) Project through the City's BidsOnline system; and

**WHEREAS**, 91 firms received the Request for Bids, of which two (2) contractors submitted Bids, (in alphabetical order): Mountain Cascade, Inc. (Livermore), Shimmick Construction Company, Inc. (Oakland); and

**WHEREAS**, the two (2) contractor bids for construction that the City received were reviewed by City of Richmond Contract Compliance Officer Gina Baker, Public Works Directors, Yader Bermudez, Veolia Water West Operating Services, Inc. Representative Steve Suskind (Senior Project Manager); and

**WHEREAS**, the panel of reviewers accepted the contractor bid of Shimmick Construction Company, Inc., finding that the team was highly qualified to construct the Grit and Aeration Basin (WWTP Critical Improvements) Project; and

**WHEREAS**, on February 16, 2021, City Council approved **Resolution No. 28-21** to appropriate the amount of **\$42,106,48**, including a contingency in the amount of **\$2,760,943** for the replacement of the Grit and Aeration Basin; and

**WHEREAS**, eight (8) Contract Change Orders (Exhibit -1) have been approved by the City in the amount of **\$2,493,560**, which has almost depleted the original Contract Contingency allocation; and

**WHEREAS**, the Water Resource Recovery Division has received projected change orders from Veolia in the amount of approximately **\$3,500,000**; and

**WHEREAS**, the total project scope will need to be increased to cover the additional change orders for a total amount of **\$45,606,488**; and

**WHEREAS**, the Water Resource Recovery Division of the Public Works Department will continue managing the project Task Authorization to Veolia and Veolia Water West Operating Services, Inc. will continue managing the subcontracts with Shimmick Construction Company, Inc.

**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 Water Resource Recovery Division of the Public Works Department shall appropriate additional **\$3,500,000** funds from the State Water Resources Control Board State Revolving Loan Fund for an amount not to exceed **\$45,606,488** for Fiscal Year 2021-22 budget the Grit and Aeration Basin (WWTP Critical Improvements) Project.

Section 3. The Contract shall be managed by Veolia Water and a subcontract issued to Shimmick Construction Company, Inc. for the construction of the Grit and Aeration (WWTP Critical Improvements) Project.

Section 4. The total cost of the Grit and Aeration (WWTP Critical Improvements) Project for construction shall not exceed **\$45,606,488** without City Council approval.

Section 5. This resolution shall take effect immediately upon its passage.

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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 June 21, 2022, by the following vote:

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

DAVE ALESHIRE  
Interim 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. 88-22**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on June 21, 2022.

  
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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. 88-22** 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 21st day of June 2022, of which meeting all 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, Johnson III, McLaughlin, Willis, Vice Mayor Martinez, 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 Assembly Bill 361, issued by the Governor of the State of California on September 15, 2021, that allowed cities to continue to hold public meetings via teleconferencing.

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: June 27, 2022.

  
City Clerk of the City of Richmond

[SEAL]