

RESOLUTION NO. 30-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONSTRUCTION CONTRACT WITH ARNTZ BUILDERS, INC. FOR THE BOOKER T. ANDERSON INFRASTRUCTURE PROJECTS FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$3,978,715 AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO APPROVE THE REMAINING PROJECT BUDGET AND CONTINGENCY USAGE, IF NECESSARY, UP TO AN AMOUNT OF \$397,871, TO POTENTIALLY INCREASE THE CONTRACT FOR A TOTAL NOT-TO-EXCEED AMOUNT TO \$4,376,586

WHEREAS, the Booker T. Anderson Community Center (BTA), located at 960 South 47th Street, suffered major fire damage on October 28, 2020, due to an encampment fire adjacent to the facility. This fire was concentrated on the West side of the building affecting the Library, Multi-Use Rooms, and Graphic Arts Room; and

WHEREAS, the facility fire damage was abated including demolition and shoring of all affected materials, including non-salvageable or non-cleanable building materials such as, but not limited to, glue lam beams, shear walls, vertical load walls and removal of all damaged building materials such drywalls, floor coverings, insulation, windows, electrical, plumbing, etc.; and

WHEREAS, the City Council awarded the construction contract on February 1, 2022, to the lowest bidder Angotii & Reilly, Inc. in an amount not to exceed \$2,583,900, which included a \$2,349,000 low bid plus \$234,900 contingency with zero local participation; and

WHEREAS, due to insurance issues and long unresolved delays, on August 19, 2022, City Council terminated the Angotti & Reilly, Inc. contract due to failure to proceed with contractual work and submittal of their builder's Risk Insurance; and

WHEREAS, in early September 2022, City staff contacted Arntz Builders, Inc., the next lowest bidder with a bid in the amount of \$2,668,981, to submit a revised bid for same project based on the original scope of work for City consideration. On September 30, 2022, Arntz Builders Inc. submitted their revised bid in the amount of 2,933,200, with 36% local participation; and

WHEREAS, on October 25, 2022, City Council awarded a construction contract to Arntz Builders, Inc., for the #23008 BTA Community Center Fire Restoration Project for an amount not to exceed \$3,302,178, including construction contingencies; and

WHEREAS, during construction the City recommended to increase the funding for BTA to include additional work outside of the fire damaged area, to address unmet community needs, ensure a consistent and cohesive design between the fire damage renovated portion of the building and the unimpacted areas, and accommodate a more cohesive recreational and educational facilities community space; and

WHEREAS, the City approved an additional \$1,500,000 in funding for BTA to fund the additional work outside of the fire damaged area:

Project	Budget	City Council Approval Date
#AR247 BTA Community Center HVAC Renovate & Rebuild	\$500,000	July 1, 2023
#23045 BTA Infrastructure	\$1,000,000	December 5, 2023

City staff has worked with Arntz Builders Inc. to identify \$676,537 in additional scope to be completed by the Contractor; and

WHEREAS, staff desires to amend the total contract amount by \$676,537 for a not to exceed total amount of \$3,978,715, and authorize the Director of Public Works to approve the use of the contingency in the amount of \$397,871 for additional potential change order work that may be performed by Arntz Builders, Inc. In the event all the remaining work is completed through Arntz Builders, Inc., staff requests that the Director of Public Works have the authority to approve the construction change orders up to \$397,871 potentially increasing the contract to a not to exceed amount of \$4,376,586; and

WHEREAS, by the agenda report (“Agenda Report”) accompanying this resolution the City Council has been provided with additional information upon which the findings and actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds the above recitals are true and correct and have served, together with the Agenda Report, as the basis for the findings and actions set forth in this Resolution.

BE IT FURTHER RESOLVED that the City Council hereby authorizes an amendment to the construction contract with Arntz Builders, Inc. for the BTA Projects (#23008, #AR247 and #23045) in the amount of \$676,537 for an amended total contract amount not to exceed \$3,978,715.

BE IT FURTHER RESOLVED that the City Council hereby authorizes the Director of Public Works to approve change orders, if necessary, for up to a contingency amount up to \$397,871 that may potentially increase the Arntz Builders, Inc. total contract amount to a not-to-exceed amount of \$4,376,586.

BE IT FURTHER RESOLVED that the City Council designates the City Clerk as the custodian of the documents and other materials which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the City Clerk at Richmond City Hall, 450 Civic Center Plaza, Richmond, California 94804.

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 16, 2024, by the following vote:

AYES: Councilmembers Bana, McLaughlin, Willis, Zepeda, Vice Mayor Jimenez, and Mayor Martinez.

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Robinson.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

EDUARDO MARTINEZ
Mayor

Approved as to form:

DAVE ALESHIRE
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. 30-24**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on April 16, 2024.



Pamela Christian, Clerk of the City of Richmond