

**RESOLUTION NO. 42-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, APPROVING THE TRANSFER AND APPROPRIATION OF RISK MANAGEMENT FUNDS TO GENERAL CAPITAL FUNDS IN THE AMOUNT OF \$200,000 TO THE SANTA RITA ROAD STABILIZATION PROJECT; AND APPROVING AN AMENDMENT TO THE CONSTRUCTION CONTRACT WITH NORTHWEST DEMOLITION, INC., FOR THE SANTA RITA ROAD STABILIZATION PROJECT FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$884,019; AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO APPROVE CONSTRUCTION CHANGE ORDERS, IF NECESSARY, UP TO AN AMOUNT OF \$61,000, TO POTENTIALLY INCREASE THE TOTAL NOT-TO-EXCEED CONTRACT AMOUNT TO \$945,019.**

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**WHEREAS**, on October 24, 2023, City Council adopted the resolution authorizing the execution of a construction contract in accordance with the approved plans and specifications with Northwest Demolition, Inc. for the Santa Rita Road Stabilization Project in an amount not to exceed \$715,500 with an approved contingency in an amount of \$143,100; and

**WHEREAS**, the 2023/2024 El Nino event started in December 2023 to March 2024 has played a challenging element in the construction schedule that delayed construction completion date to May 2024; and

**WHEREAS**, Northwest Demolition, Inc. provided a construction change order cost for the additional work to fix an independent landslide in the amount of \$25,419.00 plus a contingency of \$61,000; and

**WHEREAS**, City Staff desires to appropriate risk management funds in the amount of \$200,000 to the Santa Rita Road stabilization project; and

**WHEREAS**, City staff desires to amend the total contract amount for an amount not to exceed \$884,019, which includes \$25,419.00 for the unforeseen independent landslide; and authorize the Director of Public Works to approve construction change orders, if necessary, for a contingency amount not to exceed \$61,000, to potentially increase the contract for a total not-to-exceed amount to \$945,019; 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 approve the first contract amendment to increase Northwest Demolition not-to-exceed contract amount by \$25,419.00 to a total of \$884,019.

**BE IT FURTHER RESOLVED** that the City Council hereby authorizes the Director of Public Works to approve construction change orders, if necessary, for the contingency amount of \$61,000, which potentially increases the contract total not-to-exceed amount to \$945,019.

**BE IT FURTHER RESOLVED** that the City Council hereby authorizes the City Manager, or their designee, to execute and make amendments to the construction contract as needed to facilitate the completion of the Project.

**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 the Richmond City Hall, 450 Civic Center Plaza, Richmond, California 94804.

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I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held May 21, 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. 42-24**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on May 21, 2024.

  
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Pamela Christian, Clerk of the City of Richmond