

ATTACHMENT 1

RESOLUTION R2024-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA DETERMINING T&S CONSTRUCTION, INC. AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE NILE GARDEN - WELL 30 CONSTRUCTION CIP NOS. 21026 & 21034; AWARDING THE CONSTRUCTION CONTRACT TO T&S CONSTRUCTION, INC. IN THE AMOUNT OF \$4,925,000; APPROVING AMENDMENT NO. 1 FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES WITH BROWN & CALDWELL IN THE AMOUNT OF \$674,044; APPROVE A PROJECT CONTINGENCY TOTAL OF 10% NOT-TO-EXCEED \$560,000; ALL SUBJECT TO EXECUTION OF AN AMENDMENT TO THE SWRCB'S AGREEMENT NUMBER D1902047 ASSOCIATED WITH THE SWRCB PROJECT NUMBER 3910005-001C FOR AN ADDITIONAL \$3,411,043 IN GRANT FUNDING; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE ALL APPROPRIATE ACTIONS NECESSARY TO CARRY OUT THE PURPOSE AND INTENT OF THE RESOLUTION

WHEREAS, the City of Manteca and the Manteca Unified School District collaborated to obtain a grant totaling \$4,963,845 from the State Water Resources Control Board (SWRCB) to construct Well 30 and all ancillary equipment needed to provide drinking water to Nile Garden Elementary School (Nile Garden Well 30 Water Supply Project) (Project); and

WHEREAS, the Project is comprised of the following two phases:

- Phase 1 includes the drilling and development of the new potable water Well 30 at the southmost corner of Palmer Park.
- Phase 2 includes the installation of the well pump, building, ancillary equipment, arsenic treatment system, connection to the City's existing distribution system, and water lines to Nile Garden Elementary School.

; and

WHEREAS, on September 20, 2022, City Council approved an agreement with Wood Rodgers, Inc. (Wood Rodgers) for the preparation of Plans, Specifications, and Estimates (PS&E) for the Nile Garden Well 30 Water Supply Project; and

WHEREAS, on March 23, 2023, the City advertised a Request for Proposals (RFP) for construction management and inspection services (CM Services) for Phase 1 and Phase 2 construction; and

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WHEREAS, responses to all received requests for clarification were published on the City's website on April 6, 2023; and

WHEREAS, the RFP closed on April 13, 2023; and

WHEREAS, on April 4, 2023, City Council approved PS&E for Phase 1 and authorized a Call for Bids; and

WHEREAS, on June 20, 2023, City Council awarded the construction of Phase 1 to Nor-Cal Pump & Well Drilling (Nor-Cal) and approved an agreement for Phase 1 CM Services with Brown & Caldwell (B&C); and

WHEREAS, the total project obligation to date is \$1,886,193.00 and includes the cost for design of Phase 1 & Phase 2 by Wood Rodgers, Phase 1 CM Services by B&C, and Phase 1 construction by Nor-Cal Pump; and

WHEREAS, on September 19, 2023, City Council approved PS&E for Phase 2 and authorized a Call for Bids; and

WHEREAS, on November 9, 2023, bids were received and opened by the City Clerk's Office results are listed below:

-	T&S Construction, Inc.	\$ 4,925,000
-	Conco West, Inc.	\$ 5,266,700
-	Mountain Cascade, Inc.	\$ 5,621,000
-	Auburn Constructions LLC	\$ 5,626,300
-	Soracco, Inc.	\$ 5,797,957

; and

WHEREAS, the percentage difference between the two lowest bidder is 6.5%, typically a difference of less than 10% is indicative of a competitive bid environment; and

WHEREAS, based on the review of qualifications, scope of work, fee schedule, and experience on Phase 1 CM Services B&C was selected as the most qualified firm to provide CM Services for Phase 2; and

WHEREAS, the original grant funding is insufficient to cover the total project cost; and

WHEREAS, however, staff was able to work with the SWRCB to obtain an additional \$3,411,043 in grant funding; and

WHEREAS, the total reimbursable grant awarded to this Project is \$8,532,413; and

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WHEREAS, this additional grant funding is currently pending subject to the execution of an amendment to the SWRCB's Agreement Number D1902047 associated with the SWRCB Project Number 3910005-001C; and

WHEREAS, the additional grant has been approved by the SWRCB's Technical Management and is currently with their legal office for review; and

WHEREAS, once approved the amendment will be sent to the City for signatures then returned to the SWRCB for execution; and

WHEREAS, the City of Manteca is the applicant for the State Water Resources Control construction grant (State Water Resources Control Board Project Number 3910005-001C); and

WHEREAS, the City of Manteca intends to assume Lead Agency role for implementation and construction of this Project; and

WHEREAS, the City Manager or designee is (the "Authorized Representative") and is hereby authorized and directed to sign and file, for and on behalf of the City of Manteca, the Agreement with the State Water Resources Control Board for the planning, design, and construction the Project; and

WHEREAS, this Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement, and the State Water Resources Control Board Agreement Number D1902047 (the "Agreement") from the State Water Resources Control Board and any amendments or changes thereto; and

WHEREAS, the Authorized Representative, or his/her designee, is designated to represent the City of Manteca in carrying out the City's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the City and compliance with applicable state and federal laws; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

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

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

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2. The City Council hereby determines T&S Construction, Inc. as the lowest responsive and responsible bidder for the Nile Garden - Well 30 Construction CIP No. 21026 & 21034.
3. The City Council hereby awards the construction contract to T&S Construction, Inc. in the amount of \$4,925,000.
4. The City Council hereby approves Amendment No. 1 for construction management and inspection services with Brown & Caldwell in the amount of \$674,044.
5. The City Council hereby approves a project contingency not-to-exceed \$560,000.
6. The City Council hereby authorizes the City Manager or designee to take all appropriate actions necessary to carry out the purpose and intent of the resolution.
7. Authorizes the City Manager or designee to apply for permits, apply for State and Federal grants, solicit project funding support, complete and execute all associated documents, and take all appropriate actions necessary to carry out the purpose and intent of the resolution.
8. This Resolution shall take effect immediately upon adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the 5th day of March, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk