

RESOLUTION NO. 2014 -083

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK INCREASING THE AUTHORITY OF THE CITY MANAGER TO EXECUTE CHANGE ORDERS TO TWENTY FIVE PERCENT (25%) OF THE ORIGINAL CONTRACT AMOUNT FOR THE WILFRED AVENUE IMPROVEMENT PROJECT, PROJECT NO. 2010-05

WHEREAS, on April 9, 2013, the City Council adopted the plans and specifications for the Wilfred Avenue Improvement Project No. 2010-05 and approved a resolution awarding the contract to DeSilva Gates Construction, LP for an amount of \$10,845,757.00; and

WHEREAS, on April 9, 2013, the City Council authorized the City Manager to execute Contract Change Orders (CCOs) up to fifteen percent (15%) of the original contract amount on the Wilfred Avenue Improvement Project; and

WHEREAS, on May 29, 2013, the City Manager has authorized \$1,626,836.55 in CCOs, which represents 13.5% of the original contract amount; and

WHEREAS, staff expects that an additional \$724,500 is needed to complete United States Fish and Wildlife Service (USFWS) required CTS tunnels and final right-of-way surveys, not originally contemplated by the contract and not yet performed; and

WHEREAS, staff expects that an additional \$350,000 is needed to settle remaining issues with the contractor related to errors and omissions in the plans, inefficiencies associated with out of sequence work due to the failure of utility companies to relocate within the time permitted by the contract, and a differing site condition claim; and

WHEREAS, The City of Rohnert Park entered into a Joint Exercise of Powers Agreement ("JEPA") with Sonoma County representatives, and the Federated Indians of Graton Rancheria ("Tribe") to facilitate the road widening of Wilfred Avenue; and

WHEREAS, the JEPA requires that the Tribe is solely responsible for paying for all design, permitting, construction, review, inspection, project management, staff, legal, right of way acquisition, and operating and maintenance costs incurred for the construction of the Wilfred Avenue Improvement Project; and

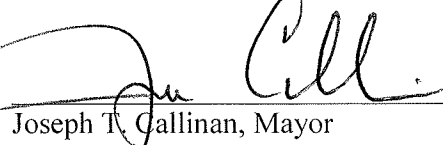
WHEREAS, the Wilfred Avenue Improvement Project was previously approved by the City pursuant to a Notice of Exemption on September 25, 2012. The City filed a notice of exemption with the County Clerk on September 26, 2012, who posted it that same day through October 29, 2012.

NOW, THEREFORE, the City Council of the City of Rohnert Park does hereby authorize the City Manager to execute Contract Change Orders up to twenty-five (25%) of the original contract amount .

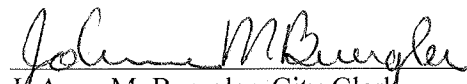
DULY AND REGULARLY ADOPTED by the City Council of the City of Rohnert Park this 22nd day of July, 2014.



CITY OF ROHNERT PARK


Joseph T. Callinan, Mayor

ATTEST:


JoAnne M. Buerger, City Clerk

BELFORTE: ABSENT MACKENZIE: ABSENT STAFFORD: AYE AHANOTU: AYE CALLINAN: AYE
AYES: (3) NOES: (0) ABSENT: (2) ABSTAIN: (0)