

PIEDMONT CITY COUNCIL

Special Meeting Minutes for Monday, September 23, 2019

A Special Session of the Piedmont City Council was held September 23, 2019, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54957(b), the agenda for this meeting was posted for public inspection on September 20, 2019.

CALL TO ORDER

Mayor Bob McBain called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

ROLL CALL

Present: Mayor Bob McBain, Vice Mayor Teddy Gray King, and Councilmember Jennifer Cavanaugh

Absent: Councilmembers Betsy Smegal Andersen (excused) and Tim Rood (excused)

Staff: City Administrator Sara Lillevand, Assistant City Attorney Sergio Rudin, Public Works Director Chester Nakahara, Finance Director Michael Szczech, and Assistant City Administrator / City Clerk John Tulloch

SPECIAL SESSION

The Council considered the following item of business:

Award of Cavendish Lane Improvement Project

City Administrator Sara Lillevand reported that, in February 2017, the failure of Cavendish Lane in the City of Oakland resulted in four Piedmont households losing vehicular access to their homes. She indicated that the City of Oakland had stated that it might not repair the roadway and restore access to these residences for several years, due to the large backlog of repairs necessary after the 2017 winter storms.

Because the closure caused the loss of access to four Piedmont residences, the City of Piedmont, after extensive negotiations with the City of Oakland, installed temporary repairs in April 2017. Both cities continued to negotiate on a permanent repair and, in December 2018, an agreement that allowed the City of Piedmont to permanently repair Cavendish Lane was reached. After several months of project design, on August 19, 2019 the City Council approved construction documents for the Cavendish Lane Road Improvement Project and authorized staff to release the project for public bidding.

Public Works Director Chester Nakahara advised that the City received one bid from A1 Construction, Inc. in the amount of \$290,269, which had been determined to be a responsive bid from a qualified contractor. Mr. Nakahara explained that the project budget of \$398,224 included a fifteen percent construction contingency to cover potential unknown factors but did not include any costs for the City of Oakland's inspections. Mr. Nakahara advised that he planned to hold an additional pre-construction meeting with the contractor and residents of Cavendish Lane to discuss the project and access for residents during the work.

There was no **Public Testimony** on the matter.

The Council expressed appreciation for staff's work in reaching an agreement with the City of Oakland and moving quickly to repair the roadway and for the residents' patience and persistence.

Resolution No. 61-19

WHEREAS, in accordance with the requirements of Chapter 2, Article XV of the Piedmont City Code ("Purchasing Ordinance"), the City of Piedmont solicited bids for the Cavendish Lane Improvement Project ("Project"); and

WHEREAS, bids for the Project were opened on September 17, 2019 in accordance with Purchasing Ordinance, California Public Contract Code Section 4104.5 and other applicable laws; and

WHEREAS, one bid was submitted by A-1 Construction, Inc. in the amount of \$290,269; and

WHEREAS, staff has determined that A-1 Construction, Inc.'s bid satisfies the bidding requirements for the Project; and

WHEREAS, staff has verified that A-1 Construction, Inc. possesses a valid California Contractor's License under the requested Class A, #94421 (expires 03/30/2020) as required to qualify to perform the Project; and

WHEREAS, the Project has been found to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of Title 14 of the California Code of Regulations as it consists of minor alterations of existing street and sidewalk facilities, as the project involves no expansion of an existing use.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Piedmont does hereby resolve, declare, determine, and order as follows:

1. The above recitals are true and correct and are hereby incorporated into this Resolution as findings of the City Council of the City of Piedmont.
2. In accordance with the Purchasing Ordinance and California Public Contract Code Sections 20160, *et seq.*, and other applicable laws, the City Council of the City of Piedmont hereby finds the base bid of A-1 Construction, Inc. for the Cavendish Lane Improvement Project to be the lowest responsive bid and waives any irregularities in such bid in accordance with applicable law.
3. The contract for the Cavendish Lane Improvement Project is hereby awarded to A-1 Construction, Inc. in the amount of \$290,269.00 conditioned on A-1 Construction, Inc.'s timely executing the Project contract and submitting all required documents, including but not limited to executed bonds/surety, certificates of insurance, and endorsements in accordance with the Project bid documents.
4. The Mayor is hereby authorized and directed to execute upon submission by A-1 Construction, Inc. all documents required pursuant to the Project bid documents for performance of the Project.
5. The overall construction budget for the Project be established at \$398,224 and the City Council hereby appropriates funding for this project.
6. City staff is hereby directed to issue a Notice of Award to A-1 Construction, Inc.

7. The Project has been found to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of Title 14 of the California Code of Regulations.

8. All portions of this resolution are severable. Should any individual component of this Resolution be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining resolution portions shall be and continue in full force and effect, except as to those Resolution portions that have been adjudged invalid. The City Council of the City of Piedmont hereby declares that it would have adopted this Resolution and each section, subsection, clause, sentence, phrase and other portion thereof, irrespective of the fact that one or more section subsection, clause sentence, phrase or other portion may be held invalid or unconstitutional.

Moved by Cavanaugh, Seconded by King

Ayes: Cavanaugh, King, McBain

Noes: None

Absent: Andersen, Rood

(0045, 0088, 1000)

ADJOURNMENT

There being no further business, Mayor McBain adjourned the meeting at 6:52 p.m.