

CITY COUNCIL MEETING

Special Meeting
1:00 P.M.

December 18, 2020
Meeting Conducted Remotely

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Antioch City Council meetings via Comcast channel 24, AT&T U-verse channel 99, and live stream (at www.antiochca.gov). The City Council meeting was conducted utilizing Zoom Audio/Video Technology. Anyone wishing to make a public comment, may do so any of the following ways: (1) by filling out an online speaker card, located at https://www.antiochca.gov/speaker_card, (2) by emailing the City Clerk prior to or during the meeting at cityclerk@ci.antioch.ca.us or (3) by dialing (925) 776-3057 during the meeting.

Mayor Thorpe called the meeting to order at 1:01 P.M., and City Clerk Householder called the roll.

Present: Council Members District 1 Torres-Walker, District 2 Barbanica, District 3 Ogorchock, Mayor Pro Tem (District 4) Wilson and Mayor Thorpe

PLEDGE OF ALLEGIANCE

Councilmember Ogorchock led the Pledge of Allegiance.

PUBLIC COMMENTS – None

COUNCIL REGULAR AGENDA

1. CONSIDERATION OF BIDS FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)

City Manager Bernal presented the staff report dated December 18, 2020 recommending the City Council adopt a resolution: 1) Rejecting the bid protest of C. Overaa & Co. (“Overaa”); 2) Authorizing and directing the City Manager or designee to make the necessary fiscal year 2020/21 budget adjustments to increase the total budget for the Brackish Water Desalination Project (“Project”) to \$110,000,000; 3) Awarding the construction agreement (“Agreement”) for the Project to the lowest, responsive and responsible bidder, Shimmick Construction Company, Inc. (“Shimmick”); 4) Approving an Agreement with Shimmick in the amount of \$86,689,000 plus a 5 percent contingency of \$4,334,450 for a total amount of \$91,023,450; and 5) Authorizing and directing the City Manager to execute the Agreement in a form approved by the City Attorney.

The following public comment was read into the record by Administrative Services Director Mastay.

Mark Jordan, Antioch resident, provided written comment asking if 24 hours' notice was reasonable for this agenda item, if new Councilmembers understood the project, why the project required a special meeting and if outside counsel with expertise in this matter was consulted.

The following public comment was made by an individual utilizing Zoom Audio/Video Technology.

Thomas Ferrick Attorney representing Shimmick Construction Company, commented that the staff recommendation was correct with regards to awarding to his client because they were qualified to perform the project.

Mayor Thorpe clarified that this agenda item was noticed on December 10, 2020 and Council had sufficient time to review it.

John White, Executive Vice President of Shimmick Construction, stated they were very excited to partner with the City to build this historic project.

In response to Councilmember Ogorchock, City Manager Bernal reported the project would not result in raising water rates and it would create less expensive water. He explained that a Project Stabilization Agreement was different terminology for a Project Labor Agreement. He stated that he believed local hires and Helmets to Hardhats were included in the PSA; however, he would confirm.

Director of Public Works/City Engineer Samuelson explained that milestones would ensure the plant would be fully operational during summer months when it was needed to treat water.

City Manager Bernal clarified that the contingency was to account for change orders and give staff the flexibility to be able to make decisions in the field without delaying the project and incurring additional costs. He explained that Director of Public Works/City Engineer Samuelson was responsible to oversee timelines and costs, CDM Smith was hired to oversee construction and an individual had been hired by the City to provide oversight in the field.

Councilmember Barbanica thanked staff for explaining the project. He requested an explanation of ongoing costs for the project.

City Manager Bernal explained that this plant was similar to the City's existing water treatment plants with routine maintenance costs built into operating costs.

Mayor Thorpe stated if Council wanted to tour a desalination project, the Santa Clara Water District would provide tours.

Councilmember Wilson stated that she was excited that this project was coming to fruition. She thanked City Manager Bernal for his hard work and past Councilmembers for their support of the project. She spoke in support of the PLA.

Councilmember Torres-Walker thanked City Manager Bernal and Assistant City Manager Bayon Moore for explaining the project to her and congratulated everyone in leadership for supporting the project.

Mayor Thorpe thanked staff for their hard work on this project and past Councilmembers for their support. He noted the ability to pump water from the Delta was impacted by climate change and he believed the City should be innovative in other areas to address those impacts.

Councilmember Ogorchock thanked everyone who worked on this project.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously rejected the bid protest of C. Overaa & Co. (“Overaa”).

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously authorized and directed the City Manager or designee to make the necessary fiscal year 2020/21 budget adjustments to increase the total budget for the Brackish Water Desalination Project (“Project”) to \$110,000,000.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously awarded the construction agreement (“Agreement”) for the Project to the lowest, responsive and responsible bidder, Shimmick Construction Company, Inc. (“Shimmick”).

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously approved an Agreement with Shimmick in the amount of \$86,689,000 plus a 5 percent contingency of \$4,334,450 for a total amount of \$91,023,450 in substantially the form attached as “Attachment C” to the staff report.

On motion by Councilmember Ogorchock, seconded by Councilmember Barbanica the City Council unanimously authorized and directed the City Manager to execute the Agreement in a form approved by the City Attorney.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson the City Council unanimously adopted the resolution of the city Council of the City of Antioch amending the Fiscal Year 20/21 Capital Improvement Budget, awarding the Brackish Water Desalination Agreement, approving a construction agreement with Shimmick Construction Company, Inc., and authorizing the City Manager to execute the agreement.

PUBLIC COMMENTS – None

STAFF COMMUNICATIONS

City Manager Bernal and the City Council wished everyone a Merry Christmas and Happy Holidays.

ADJOURNMENT

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously adjourned the meeting at 1:31 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk