

RESOLUTION NO. 20-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES APPROVING AN AMENDED FISCAL AGREEMENT FOR THE PINOLE-HERCULES WASTEWATER TREATMENT PLANT UPGRADE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY COUNCIL

WHEREAS, the Cities of Pinole and Hercules previously entered into a Fiscal Agreement in February 2015 for the much-needed Pinole-Hercules Wastewater Treatment Plant Upgrade Project; and

WHEREAS, the Fiscal Agreement ensured there was sufficient cash flow for the shared cost of the Project given the construction schedule and terms of the State Revolving Fund Loan each City received from the State; and

WHEREAS, the Project was awarded to Kiewit Infrastructure West who started work in May 2016 and achieved substantial completion October 2019; and

WHEREAS, the Project faced many challenges throughout the duration of construction that resulted in change orders which have expended the available contingency programmed in the Fiscal Agreement; and

WHEREAS, Carollo Engineers who is the construction management firm assigned to the project is currently working to finalize the costs associated with the last of the change orders; and

WHEREAS, it is necessary to increase the programmed contingency in the Fiscal Agreement to address these last change orders as well as work toward resolving several claims and potential claims.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hercules that the City Council hereby approves an amended Fiscal Agreement for the Pinole-Hercules Wastewater Treatment Plant Upgrade Project and authorizes the City Manager to execute the Agreement on behalf of the City Council.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the tenth day of March, 2020 by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Roland Esquivias, Mayor

ATTEST:

Lori Martin, MMC
Administrative Services Director/City Clerk