

City of Williams

Council Special Meeting Minutes

810 E Street / P.O. Box 310, Williams, CA 95987

CITY COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, APRIL 01, 2015

CALL TO ORDER:

At 2:00 pm, Mayor Troughton called the Special Meeting of the Council to order.

ROLL CALL:

Council Members Present: John Troughton, Jr., Alfred Sellers, Jr., Kent Boes, Santos Jauregui, Charles Bergson.

PLEDGE OF ALLEGIANCE: Mayor Troughton invited everyone to join in the Pledge of Allegiance.

PUBLIC COMMENT: None.

NEW BUSINESS

Authorize the Acting City Administrator to execute a contract between California Engineering Company (CEC) and the City of Williams for Construction Management and Inspection Services on the Margurite Street Extension Project.

DISCUSSION: Council Member Bergson explained he had comments on item one but he suggested taking item two before discussing items one and three. City attorney Ann Siprelle agreed with Council Member Bergson. She stated she also wanted to report on item number two because it had been brought to the City's attention very recently that we don't have all of the information that we need on the bids that were received by the City. City Attorney Siprelle recommended that the City Council reject all the bids and send out bids one more time so that all the incoming bids are complete.

Mayor Troughton Jr., explained that from the bids received the lowest bidder made the City aware that not all the information was submitted with their bid. City Attorney Siprelle said the lowest bidder did not include a component in one of the alternates that was needed to complete the bid.

It was decided by City Council that this item would be moved as item number two.

Award and Authorize the Acting City Administrator to Execute a Contract between Teichert Construction and the City of Williams for Construction of the

Margurite Street Extension Project, contingent on receipt of all necessary contract documents including bonds and insurance, within the time provided in the project specifications.

Council Member Boes asked the City Attorney what the time limit looked like. City Attorney Siprelle said the bid would have to be advertised for fifteen days. She stated she did not expect to take more than the fifteen days the bid has to be advertised.

Acting City administrator Saso said the City would file an extension with Caltrans by the end of the week.

Mayor Pro- Tem Sellers Jr. asked if the decision of rejecting all bids would affect the lowest bidder and Mrs. Siprelle said it would not because Teichert Construction will be able to re- bid on the project.

ACTION: Motioned by Council Member Bergson and seconded by Council Member Jauregui and carried unanimously to reject all bids and re-bid the project. Motion passed 5-0.

Mayor Troughton asked if Council should leave items one and three to be approved at the same meeting as the bid award after the bids are in. Acting City Administrator Saso said that Council could do that or if Council was in agreement with the execution of the Contract with CEC they could approve that today. Mr. Saso said he believed that they were moving in that direction any way and the parties were present so his suggestion was to move forward with the contract between the City and CEC.

Council Member Bergson said that he had some questions on the Construction Management and thinks Council should wait until the bid gets awarded to authorize the execution of this contract with CEC.

Council Member Bergson said normally public agencies oversee an engineer who oversees the contractor. He stated that in this case the City would not be overseeing the engineer of record and the engineer of record will not oversee the contractor for the construction management which makes him uncomfortable. He said that to his knowledge the engineer of record is the County and with that being said the County is not accountable to the City Council.

Council Member Boes said the County is accountable because they were hired by the City to contract and they report to the City Council. Council Member Bergson said the County engineer of record does not report to the City council which Council Member Boes disagreed and said that he does report to the City Council.

Acting City Administrator Saso explained to Mayor Troughton that Caltrans Project Manager John Holder has addressed many of the questions. He also said that if Council would like more time to research this they can certainly table this item and bring it back before Council when the bids come back. Mr. Saso also explained to the City Council that the City did enter into an agreement with the County and Council Member Bergson he would like to see that before council moves forward with this item.

Acting City Administrator made it clear and said that if Council Member Bergson had questions he wanted to make sure that all questions were answered. He said he didn't want Council to move forward if there were any other questions.

Mayor Troughton said he had read the numbers and he thought that all questions were answered and he also thought there was no conflict on this item and asked for advice from City Attorney Siprelle. Mrs. Siprelle said she did not see a conflict she said she had researched this and advised staff about it and feels comfortable to move forward with this contract.

Mayor Troughton stated he agreed with City Attorney Siprelle.

Council Member Bergson stated he still had concerns.

Council Member Bergson made a motion seconded by Council Member Jauregui to table this item to the regular City Council meeting. Motion Passed 3-2.

AYES: Council Member Bergson, Jauregui, and Sellers Jr.

NOES: Council Member Troughton Jr., and Boes

Authorize the Acting City Administrator to execute a contract between California Engineering Company (CEC) and the City of Williams for Construction Management and Inspection Services on the Margurite Street Extension Project.

Acting City Administrator suggested on continuing this item to the next meeting. Mr. Saso also stated that he would like for all of the three items come back at the same time. This would be once the bids come back and Council is ready to award the bid.

Council Member Boes made a motion seconded by Council Member Sellers Jr. and carried unanimously to continue this item until the bid is awarded. Motion passed 5-0.

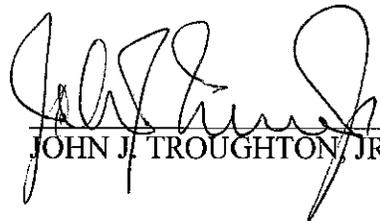
ADJOURNED to Closed Session at 2:21 pm.

CLOSED SESSION

1. Public Employee Performance Evaluation Pursuant to Section 54957
Title: Police Chief

ADJOURNMENT: At 2:45 pm, Mayor Troughton adjourned the meeting stating there was no reportable action.

APPROVED:



JOHN J. TROUGHTON, JR., MAYOR

ATTEST:



Mariana Pineda, City Clerk