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RESOLUTION NO. 2013-68

**A RESOLUTION OF THE ALBANY CITY COUNCIL AWARDING A
CONSTRUCTION CONTRACT TO DARCY AND HARTY
CONSTRUCTION, INC. FOR THE CONSTRUCTION OF 2013 SEWER
IMPROVEMENT PROJECT: KEY ROUTE BLVD, CORNELL AVE AND
TALBOT AVE NOT TO EXCEED \$856,885.80**

WHEREAS, the City of Albany owns and is responsible for the operation of approximately thirty two miles of sewer main and associated lower service laterals; and

WHEREAS, the City of Albany has been rehabilitating this publicly-owned portion of its sanitary sewer collection system pursuant to an Infiltration/Inflow Correction Program (I/ICP) negotiated with the State Water Board since the early 1980's; and

WHEREAS, in 2009 the United States Environmental Protection Agency (EPA) issued the City an Administrative Order for Compliance (AO) to further develop and implement programs critical to reducing the amount of stormwater inflow and infiltration ("I & I") entering the sanitary sewer system; and

WHEREAS, on September 6, 2011, Albany and the other six sewer agencies in the East Bay entered into Stipulated Order for Preliminary Relief with EPA and the State and Regional Water Boards; and

WHEREAS, the Stipulated Order requires the City to rehabilitate approximately 3% of its sanitary sewer collection system each year; and

1 **WHEREAS**, on July 15, 2013 City Council authorized the City Manager to enter
2 into an agreement with Nute Engineering to design the 2013 Sewer Improvement Project:
3 Key Route Blvd, Cornell Ave and Talbot Ave; and
4

5 **WHEREAS**, on November 4, 2013 City Council authorized the Construction of
6 2013 Sewer Improvement Project: Key Route Blvd, Cornell Ave and Talbot Ave to go
7 out to bid; and
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9 **WHEREAS**, on November 11 and 18, 2013 the Invitation to Bid for the
10 Construction of 2013 Sewer Improvement Project: Key Route Blvd, Cornell Ave and
11 Talbot Ave was published in the West County Times; and
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13 **WHEREAS**, on December 2, 2013 the City received six bids for the Construction
14 of 2013 Sewer Improvement Project: Key Route Blvd, Cornell Ave and Talbot Ave; and
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16 **WHEREAS**, Carone and Company, Inc was the initially apparent low bidder but
17 subsequently had the proposal rejected because they did not satisfy Specifications Section
18 02602; and
19

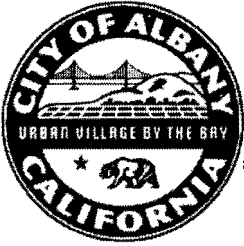
20 **WHEREAS**, Darcy and Harty Construction, Inc. was the next low responsive
21 bidder for the Construction of 2013 Sewer Improvement Project: Key Route Blvd,
22 Cornell Ave and Talbot Ave;
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NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Albany that the City Manager is authorized to sign a contract with Darcy and Harty Construction, Inc. not to exceed \$856,885.80 for the Construction of 2013 Sewer Improvement Project: Key Route Blvd, Cornell Ave and Talbot Ave.



MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2013-68

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 16th day December, 2013, by the following votes:

AYES: Council Members Barnes, Maass, Vice Mayor Wile & Mayor Thomsen

NOES: none

ABSENT: Council Member Atkinson

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 19th
day of November, 2013.

Eileen Harrington
DEPUTY CITY CLERK