

**RESOLUTION NO. 2023 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, 1) ACCEPTING THE WORK PERFORMED BY WHILLOCK CONTRACTING, INC. FOR THE PARADISE CREEK PARK SITE REMEDIATION AND IMPROVEMENTS PROJECT, CIP NO. 18-07; 2) APPROVING THE FINAL CONTRACT AMOUNT OF \$5,197,256.50; 3) RATIFYING THE RELEASE OF RETENTION IN THE AMOUNT OF \$141,891.95; AND 4) APPROVING THE SIGNING OF THE NOTICE OF COMPLETION FOR THE PROJECT.**

**WHEREAS**, the Paradise Creek Park Site Remediation and Improvements Project, CIP No. 18-07 (the "Project") provided the site remediation, grading, and infrastructure improvements necessary to construct a new approximately 4-acre Community Park to include walking paths, community garden, playground, and other amenities on the west side of Paradise Creek between West 22nd Street and West 19th Street; and

**WHEREAS**, more specifically, the scope of this project included installation of the gabion wall, park lighting, storm water pipes and structures, and landscaping; and

**WHEREAS**, the funding will also be used to reconstruct Harding Avenue and West 20th Street to provide paved roadways, utilities, parking, new sidewalks, and curb ramps for ADA compliance; and

**WHEREAS**, on August 21, 2018, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors; and

**WHEREAS**, on August 23, 2018 and August 30, 2018, the bid solicitation was advertised in local newspapers; and

**WHEREAS**, at the 2:00 p.m. deadline on September 27, 2018, nine (9) bids were received electronically by the Engineering Department for the Project; and

**WHEREAS**, Whillock Contracting, Inc.'s, bid was deemed responsive and they are the lowest responsible bidder qualified to perform the work as described in the project specifications; and

**WHEREAS**, on October 16, 2018, the City Council adopted Resolution No. 2018-182 awarding the contract to Whillock Contracting, Inc., in the not-to-exceed amount of \$5,219,250.00; and

**WHEREAS**, the Notice to Proceed with construction was issued on November 29, 2018. Construction started on December 13, 2018 and was completed on November 19, 2020; and

**WHEREAS**, the change orders issued for this project are detailed in the Final Contract Balance Report; and

**WHEREAS**, the change orders increased the contract by \$280,064.42; and

**WHEREAS**, Contract savings from line-item adjustments was \$302,057.92, this resulting in a final contract balance of \$5,197,256.50; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**Section 1:** That the City Council hereby authorizes the accepting of the work performed by Whillock Contracting, Inc. for the Paradise Creek Park Site Remediation and Improvements Project, CIP No. 18-07.

**Section 2:** Approving the final contract amount of \$5,197,256.50.

**Section 3:** Ratifying the release of retention in the amount of \$141,891.95.

**Section 4:** Approving the signing of the Notice of Completion for the project.

**Section 5:** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED and ADOPTED this 7th day of March 2023.**

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Ron Morrison, Mayor

**ATTEST:**

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Shelley Chapel, MMC, Interim City Clerk

**APPROVED AS TO FORM:**

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Barry J. Schultz, City Attorney