



Pedro "Pete" M. Sanchez, Mayor
Mike Hudson, Mayor Pro-Tem
Jane Day
Sam Derting
Michael A. Segala

First and Third Tuesday
Every Month

A G E N D A

**REGULAR MEETING OF THE
SUISUN CITY COUNCIL**

**SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY,
AND HOUSING AUTHORITY**

**TUESDAY, SEPTEMBER 18, 2012
7:00 P.M.**

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

(Next Ord. No. – 722)
(Next City Council Res. No. 2012 – 74)
Next Suisun City Council Acting as Successor Agency Res. No. SA2012 – 14)
(Next Housing Authority Res. No. HA2012 – 04)

ROLL CALL

Council / Board Members
Pledge of Allegiance
Invocation

PUBLIC COMMENT

(Requests by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3 allowing 3 minutes to each speaker).

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Councilmembers / Boardmembers should be identified at this time.)

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

1. Presentation of a Proclamation to Fire Department Proclaiming September 2012 as "National Preparedness Month".
2. Presentation on the "Christmas on the Waterfront" Event and Funding by the Community Services Foundation – (Jessop).

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
SUCCESSOR AGENCY 421-7309 FAX 421-7366

CONSENT CALENDARJoint City Council / Suisun City Council Acting as Successor Agency / Housing Authority

3. Council/Agency/Authority Review and Accept the Investment Report for the Quarter Ending June 30, 2012 – (Anderson).
4. Council/Agency/Authority Approval of the Minutes of the Regular and/or Special Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on July 19, 2012, August 14, 2012 and August 21, 2012 – (Hobson).

Joint City Council / Suisun City Council Acting as Successor Agency

5. Council/Agency Approval of the August 2012 Payroll Warrants in the amount of \$497,475.43. Council/Agency Approval of the August 2012 Payable Warrants in the amount of \$1,509,706.93 – (Finance).

GENERAL BUSINESSCity Council

6. Awarding Construction Contract for Senior Center Reroof Project – (Moirano).
 - a. Council Adoption of Resolution No. 2012-___: Declaring the Bid of Northwest Roofing & Waterproofing Inc. for the Senior Center Reroof Project as Non-Responsive.
 - b. Council Adoption of Resolution No. 2012-___: Authorizing the City Manager to Enter into a Construction Contract on the City's behalf with Solano County Roofing Inc. for the Senior Center Reroof Project.

PUBLIC HEARINGS:**REPORTS: (Informational items only.)**

7. City Manager/Executive Director/Staff
8. Mayor/Council -Chair/Boardmembers

CLOSED SESSION

Pursuant to California Government Code Section 54950 the Suisun City Council and Successor will hold a Closed Session for the purpose of:

City Council

9. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(b): One potential case.

CONVENE OPEN SESSION

Announcement of Actions Taken, if any, in Closed Session.

ADJOURNMENT

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours prior to a Council /Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting regarding any item on this agenda will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The City may charge photocopying charges for requested copies of such documents.

PLEASE NOTE:

1. The City Council/Agency/Authority hopes to conclude its public business by 11:00 P.M. Ordinarily, no new items will be taken up after the 11:00 P.M. cutoff and any items remaining will be agendaized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.
2. Suisun City is committed to providing full access to these proceedings; individuals with special needs may call 421-7300.
3. Agendas are posted at least 72 hours in advance of regular meetings at:

City Hall	Fire Station	Senior Center
701 Civic Center Boulevard	621 Pintail Drive	318 Merganser Drive

Office of the Mayor

Suisun City, California

Proclamation



WHEREAS, "National Preparedness Month" creates an important opportunity for every resident of Suisun City to prepare their homes, businesses and communities for any type of emergency, including natural disasters and potential terrorist attacks; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency's *Ready* Campaign, Citizen Corps and other federal, state, local, tribal, territorial, private and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, emergency preparedness is the responsibility of every resident of Suisun City and all residents are urged to make preparedness a priority and work together, as a team, to ensure that individuals, families and communities are prepared for disasters and emergencies of any type; and

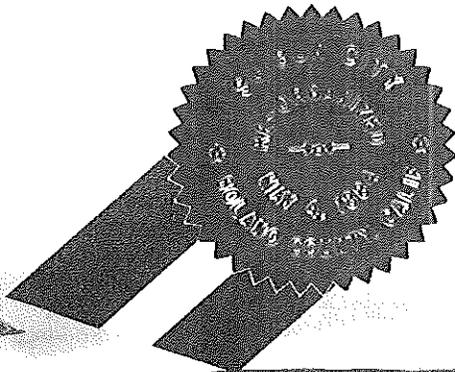
WHEREAS, all residents of Suisun City are encouraged to participate in emergency preparedness activities and asked to review the *Ready* campaign's websites at Ready.gov; and become more prepared.

NOW, THEREFORE, BE IT RESOLVED, that I, Pete Sanchez, by virtue of the authority vested in me as Mayor of the City of Suisun City in the State of California, do hereby proclaim the month of September 2012 as

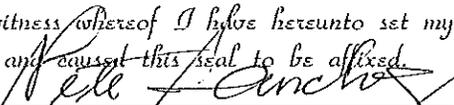
"NATIONAL PREPAREDNESS MONTH"

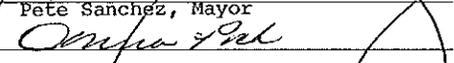
in the City of Suisun City, and encourage all residents and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared society.

FURTHER, LET IT BE PROCLAIMED, that the City of Suisun City will continue to participate in efforts that ensure we have an integrated disaster response capability so all City emergency responders and the general public can work together effectively in a crisis.



In witness whereof I have hereunto set my hand and caused this seal to be affixed.


Pete Sanchez, Mayor

ATTEST: 

DATE: September 4, 2012

AGENDA TRANSMITTAL

MEETING DATE: September 18, 2012

JOINT AGENDA ITEM: Accept the Investment Report for the Quarter Ending June 30, 2012.

FISCAL IMPACT: None as this item is for information only.

BACKGROUND: Each quarter it is necessary to produce an Investment Report, showing how all the City, Redevelopment Successor Agency, Housing Authority, and Suisun-Solano Water Authority's available cash is invested, in terms of the type of investment, what institution it is invested in, and current value and interest earnings.

STAFF REPORT: The total cash and investments (par amount) equaled \$38,597,842 for the period ending June 30, 2012.

In terms of return on our investment, 1.13% was earned for the quarter. This compares very favorably with the LAIF return of only 0.36% for the quarter. As can be seen in the Pie Chart, most of the cash is invested in federally insured CD's, US Treasuries or Agency Notes, all of which generate higher yields. The large balance in the Checking Account is necessary to keep banking fees and charges to a minimum (the interest earned is used to offset these costs).

RECOMMENDATION: It is recommended that the Council/Redevelopment Successor Agency/Authority accept the Third Quarter Financial Officer's Investment Report.

ATTACHMENTS:

1. Financial Officer's Investment Report, June 30, 2012.

PREPARED BY:

Elizabeth N. Luna, Senior Accountant

REVIEWED/APPROVED BY:

Jason Garben, Economic Development Director
Suzanne Bragdon, City Manager

City of Suisun City
Successor Agency and Housing Authority
FINANCIAL OFFICER'S INVESTMENT REPORT

JUNE 30, 2012

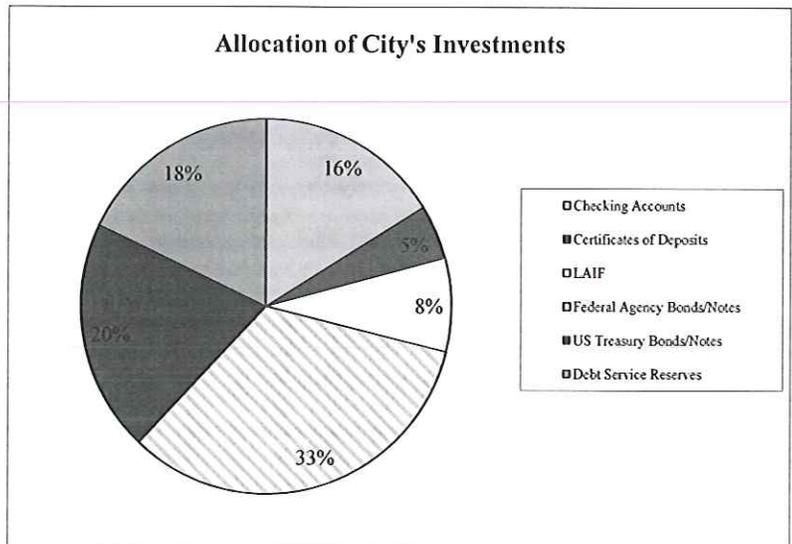
<u>Category of Investment</u>	<u>Name of Institution</u>	<u>Maturity Date</u>	<u>Par Amount</u>	<u>Market Value*</u>	<u>Amortized Cost</u>	<u>Curr Yield At Market</u>	<u>Est Annual Income</u>
Checking Account	West America Bank	Demand Deposit	\$ 6,263,220	\$ 6,263,220	\$ 6,263,220	-	-
Certificate of Deposit	American Express-Centurion	09/24/12	\$ 247,000	\$ 248,067	\$ 247,000	2.34%	5,805
Certificate of Deposit	Barclays Bank	10/09/12	\$ 247,000	\$ 248,307	\$ 247,000	2.39%	5,928
Certificate of Deposit	GE Money Bank	10/09/12	\$ 247,000	\$ 248,297	\$ 247,000	2.39%	5,928
Certificate of Deposit	Discover Bank	11/13/12	\$ 247,000	\$ 248,761	\$ 247,000	2.38%	5,928
Certificate of Deposit	CIT Bank	12/10/12	\$ 247,000	\$ 249,100	\$ 247,000	2.38%	5,928
Certificate of Deposit	Ally Bank Midvale	08/05/13	\$ 247,000	\$ 247,906	\$ 247,000	0.75%	1,853
Certificate of Deposit	GE CAP Finl Inc	01/27/15	\$ 150,000	\$ 150,705	\$ 150,000	1.14%	1,725
Certificate of Deposit	Travis Credit Union	06/17/14	\$ 199,285	\$ 199,285	\$ 199,285	2.52%	5,022
Total CD's			\$ 1,831,285	\$ 1,840,428	\$ 1,831,285	2.07%	38,117
State Investment-CITY	LAIF	Demand Deposit	\$ 3,146,095	\$ 3,146,095	\$ 3,146,095	0.36%	2,794
First Amer Treas Oblig Fd	First Amer #31846V203	Demand Deposit	\$ 70,758	\$ 70,758	\$ 70,758	0.00%	-
Federal Agency/Floating Note	FNMA #31398A6R8	11/23/12	\$ 1,000,000	\$ 1,000,640	\$ 1,000,000	0.35%	3,500
Federal Agency/Global Note	FNMA #31398AE24	02/22/13	\$ 475,000	\$ 479,392	\$ 474,855	1.73%	8,313
Federal Agency/Global Note	FHLMC #3137EACJ6	04/15/13	\$ 1,900,000	\$ 1,920,351	\$ 1,899,311	1.61%	30,875
Federal Agency/Global Refer Note	FHLMC #3137EABM0	06/28/13	\$ 850,000	\$ 879,885	\$ 873,254	3.62%	31,875
Federal Agency/Global Note	FHLB #313374Y61	08/28/13	\$ 870,000	\$ 872,077	\$ 869,332	0.50%	4,350
Federal Agency/Global Note	FMAC #3137EACZ0	11/27/13	\$ 1,800,000	\$ 1,801,397	\$ 1,797,839	0.37%	6,750
Federal Agency/Bond Note	FNMA #3135G0BJ1	06/27/14	\$ 990,000	\$ 1,004,989	\$ 993,677	1.11%	11,138
Federal Agency/Global Note	FMAC #3134G2UA8	08/20/14	\$ 695,000	\$ 703,068	\$ 700,078	0.99%	6,950
Federal Agency/Bond Note	FHLMC #3137EACV9	08/27/14	\$ 1,000,000	\$ 1,013,590	\$ 1,008,125	0.99%	10,000
Federal Agency/Global Note	FMAC #3137EACY3	11/25/14	\$ 880,000	\$ 886,602	\$ 885,180	0.74%	6,600
Federal Agency/Bond Note	FNMA #31398AU34	07/28/15	\$ 500,000	\$ 527,601	\$ 510,295	2.25%	11,875
Federal Agency/Bond Note	FHLMC #3137EACM9	09/10/15	\$ 1,100,000	\$ 1,141,113	\$ 1,105,488	1.69%	19,250
Federal Agency/Bond Note	FNMA #31398A4M1	10/26/15	\$ 725,000	\$ 750,963	\$ 741,407	1.57%	11,781
Total Federal Agency Bond/Note			\$ 12,855,758	\$ 13,052,424	\$ 12,929,599	1.25%	163,257
US Treasury Notes	#912828PR5	01/31/13	\$ 1,000,000	\$ 1,002,539	\$ 1,000,149	0.62%	6,250
US Treasury Notes	#912828QZ6	05/31/13	\$ 280,000	\$ 280,645	\$ 280,035	0.50%	1,400
US Treasury Notes	#912828KN9	04/30/14	\$ 400,000	\$ 411,250	\$ 397,439	0.50%	7,500
US Treasury Notes	#912828LZ1	11/30/14	\$ 925,000	\$ 963,951	\$ 915,502	2.04%	19,656
US Treasury Notes	#912828MR8	02/28/15	\$ 65,000	\$ 68,397	\$ 68,335	2.26%	1,544
US Treasury Notes	#912828MR8	02/28/15	\$ 440,000	\$ 462,997	\$ 462,634	2.26%	10,450
US Treasury Notes	#912828MR8	02/28/15	\$ 450,000	\$ 473,520	\$ 472,167	2.26%	10,688
US Treasury Notes	#912828NP1	07/31/15	\$ 950,000	\$ 987,629	\$ 987,566	1.68%	16,625
US Treasury Notes	#912828PE4	10/31/15	\$ 700,000	\$ 717,445	\$ 693,445	1.22%	8,750
US Treasury Notes	#912828PE4	10/31/15	\$ 134,446	\$ 137,797	\$ 134,818	1.22%	1,681
US Treasury Notes	#912828PJ3	11/30/15	\$ 450,000	\$ 463,254	\$ 447,764	1.34%	6,188
US Treasury Notes	#912828OR4	06/30/16	\$ 400,000	\$ 414,375	\$ 406,070	1.45%	6,000
US Treasury Notes	#912828QX1	07/31/16	\$ 750,000	\$ 777,012	\$ 763,016	1.45%	11,250
US Treasury Notes	#912828SC5	01/31/17	\$ 550,000	\$ 554,770	\$ 549,900	0.87%	4,813
US Treasury Notes	#912828SJ0	02/28/17	\$ 250,000	\$ 252,168	\$ 249,273	0.87%	2,188
Total US Treasury Bond/Note			\$ 7,744,446	\$ 7,967,748	\$ 7,828,113	1.44%	114,983
					\$	-	-
TOTAL POOLED INVESTMENTS			\$ 31,840,804	\$ 32,269,915	\$ 31,998,312	1.00%	\$ 319,151

**City of Suisun City
Successor Agency and Housing Authority
FINANCIAL OFFICER'S INVESTMENT REPORT**

JUNE 30, 2012

<u>Category of Investment</u>	<u>Name of Institution</u>	<u>Maturity Date</u>	<u>Par Amount</u>	<u>Market Value*</u>	<u>Amortized Cost</u>	<u>Curr Yield At Market</u>	<u>Est Annual Income</u>
Reserved for Bond/Debt Service							
Govt Sec Money Market-SSWA 1993	First Amer Treas Oblig Fd	Demand Deposit	122,888	122,888	122,888	0.00%	-
Govt Sec Money Market-SSWA 1993	First Amer Treas Oblig Fd	Demand Deposit	415,676	415,676	415,676	0.00%	-
Govt Sec Money Market-SSWA 1993	Federal Home Loan Bks	11/15/2012	335,000	340,280	364,873	4.43%	15,075
Govt Sec Money Market-2004 CVCC	First Amer Treas Oblig Fd	Demand Deposit	270,628	270,628	270,628	0.00%	-
Govt Sec Money Market- RDA 1998	First Amer Treas Oblig Fd	Demand Deposit	8,408	8,408	8,408	0.00%	-
Govt Sec Money Market- RDA 1998	US Treasury Notes	10/31/2014	708,000	740,964	730,089	2.27%	16,815
Gov Sec Money Market - RDA 2003-A	First Amer Treas Oblig Fd	Demand Deposit	0	0	0	0.00%	-
Gov Sec Money Market - RDA 2003-A	First Amer Treas Oblig Fd	Demand Deposit	255,346	255,346	255,346	0.00%	-
Govt Sec Money Market- RDA 2003-A	Federal Home Loan Bks	11/15/2012	225,000	227,765	245,064	4.44%	10,125
Govt Sec Money Market-RDA 2003-B	First Amer Treas Oblig Fd	Demand Deposit	1,639,255	1,639,255	1,639,255	0.00%	-
Govt Sec Money Market-RDA 2003-B	Federal Home Loan Bks	11/15/2012	1,465,000	1,483,005	1,595,638	4.44%	65,925
Savings Acct-RDA Marina	West America Bank	Demand Deposit	396,283	396,283	396,283	0.10%	383
Marina Debt Service #912828PE4	US Treasury Notes	10/31/2015	915,554	938,371	\$ 918,084	1.22%	11,444
Total Debt Service Reserve Funds			\$ 6,757,039	\$ 6,838,869	\$ 6,962,233	1.72%	\$ 119,767
Grand Total			\$ 38,597,842	\$ 39,108,784	\$ 38,960,545	1.13%	\$ 438,919

<u>Summary of Pooled Investments</u>	<u>Amount</u>	<u>Pct.</u>
Checking Accounts	\$ 6,263,220	16.1%
Certificates of Deposits	\$ 1,831,285	4.7%
LAIF	\$ 3,146,095	8.1%
Federal Agency Bonds/Notes	\$ 12,929,599	33.2%
US Treasury Bonds/Notes	\$ 7,828,113	20.1%
Debt Service Reserves	\$ 6,962,233	17.9%
Total	\$ 38,960,545	100.0%



* Market Valuation for Federal Agency Bonds/Notes and US Treasury Bonds/Notes is from City's Investment Advisor, PFM. Valuation for Debt Service Reserve funds is from the

City Treasurer's Statement:

I hereby certify that I have examined the records and find this report to be correct, that all investments are made in accordance with the investment policy, and the City will be able to meet its obligations for the next six months.

Attest by:

Jennie F. McMurry 8/29/12
 Jennie F. McMurry, City Treasurer Date

Submitted by:

Elizabeth Luna 8/29/2012
 Elizabeth Luna, Senior Accountant Date

MINUTES

SPECIAL MEETING OF THE SUISUN CITY COUNCIL

THURSDAY, JULY 19, 2012

4:30 P.M.

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

ROLL CALL

Mayor / Chairman Sanchez called the Meeting to order at 7:00 PM with Council / Board Members Day, Derting, Segala and Sanchez present. Council / Board Member Hudson was absent.

PUBLIC COMMENT - None

(Requests by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3 allowing 3 minutes to each speaker).

CONFLICT OF INTEREST NOTIFICATION - None

(Any items on this agenda that might be a conflict of interest to any Councilmembers / Boardmembers should be identified at this time.)

CONSENT

1. Council Adoption of Resolutions Adjusting Employee Pay and Benefits – (Anderson).
 - a. Council Adoption of Resolution No. 2012-69: Approving the Memorandum of Understanding (MOU) with the Suisun City Police Officers' Association (SCPOA) and Authorizing the City Manager to Execute it on Behalf of the City.
 - b. Council Adoption of Resolution No. 2012-70: Amending the Salary Resolution No. 2012-___ to Adjust Salaries of Employees Covered by the Suisun City Police Officers' Association (SCPOA) Memorandum of Understanding.

Motioned by Council / Board Member Derting and seconded by Council / Board Member Segala to approve the Consent Calendar. Motion carried unanimously by members present..

GENERAL BUSINESS

2. Discussion and Direction Regarding the Provision of Certain Benefits to Elected City Offices (City Treasurer and City Clerk) – (Anderson).

Council members present unanimously directed staff to drop the issue.

ADJOURNMENT

There being no further business, Mayor Sanchez adjourned the City Council meeting at 4:35 PM.

Linda Hobson, CMC
City Clerk

A G E N D A

SPECIAL MEETING OF THE SUISUN CITY COUNCIL

TUESDAY, AUGUST 14, 2012

6:00 P.M.

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

ROLL CALL

Mayor Sanchez called the Council Meeting to order with Council / Board Members Day, Derting, Hudson, Segala and Sanchez.

PUBLIC COMMENT None

(Requests by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3 allowing 3 minutes to each speaker).

CONFLICT OF INTEREST NOTIFICATION - None

(Any items on this agenda that might be a conflict of interest to any Councilmembers / Boardmembers should be identified at this time.)

CLOSED SESSION

Pursuant to California Government Code Section 54957(b) the Suisun City Council will hold a Closed Session for the purpose of:

1. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Attorney Sean Howell, Mastagni, Holstedt, Amick, Miller & Johnson Law Firm representing Phil Steamers, commented on a few things for the City Council to consider in closed session:

- Final Notice of Discipline which involved the termination of Officer Steamers stated six different allegations of misconduct – three for watching movies while on duty and three for dishonesty two of which related productivity and performance reports and one related to conversation with Commander Mattos.
- Other officers admitted watching movies at the same time as Officer Steamers.
- Officer Steamers was not terminated for watching movies, but for two dishonest entries on his performance log.

Phil Steamers admitted watching movies with other officers and his supervisor. He has spent many years putting himself through the academy and became an officer in 2006. He stated mistakes on reports were not lies but were mistakes and stated he would not have jeopardized his career and his family. He wants to be a police officer and asked the Council to take into consideration that he is human and he made two mistakes on his reports.

Detective Mike Rowe stated he has worked with Officer Steamers and he could always trust and depend on him. He is not perfect, no officer is perfect; he is, however, a good officer.

6:14 PM – Mayor Sanchez recessed the City Council to Closed Session.

CONVENE OPEN SESSION

Announcement of Actions Taken, if any, in Closed Session.

7:04 PM – Mayor Sanchez reconvened the City Council and stated the City Council upheld the hearing officer’s decision to terminate Officer Steamers employment by a 3-2 vote with Council Member Day and Hudson voting no.

CONSENT - None

GENERAL BUSINESS - None

ADJOURNMENT

There being no further business, Mayor Sanchez adjourned the meeting at 7:05 PM.

Linda Hobson, CMC
City Clerk

MINUTES

REGULAR MEETING OF THE SUISUN CITY COUNCIL

SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY,

AND HOUSING AUTHORITY

TUESDAY, AUGUST 21, 2012

7:00 P.M.

SUISUN CITY COUNCIL CHAMBERS -- 701 CIVIC CENTER BOULEVARD -- SUISUN CITY, CALIFORNIA

ROLL CALL

Mayor / Chairman Sanchez called the Meeting to order at 7:00 PM with Council / Board Members Day, Derting, Segala and Sanchez present. Council / Board Member Hudson was absent.

Pledge of Allegiance was led by Council / Board Member Derting.

Invocation was given by Assistant City Manager Bragdon.

PUBLIC COMMENT

(Requests by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3 allowing 3 minutes to each speaker).

Elizabeth Hooper commented on an incident on the waterfront where a small dog was killed by another dog. Police department was called; however, the caller was advised to call Solano Animal Control.

Rick Pracht expressed concern about the lack of protection on the waterfront.

George Guynn discussed the lack of leadership in the police department and asked the Council to take action.

Mike Cross, owner of dog that was killed, stated he had walked his dog in the park for three years and stated the owner of the other dog appeared to be homeless and on drugs.

Gary Dyas works at Air, Land & Sea Travel Agency, stated the sight was horrific and said Ms. Hooper rushed the dog to the vet. He also expressed concern about drunkenness on the waterfront.

Chief of Police Dadisho stated these calls are referred to the Animal Humane Society and stated cameras are all over the waterfront area. He advised the pit bull was taken from the owner and a decision is pending. He recommended citizens call 911 and give a complete description of the incident.

Police Officer Eric Vera offered his condolences to Mr. Cross and explained that the police

department was shorthanded with no detectives and the administration also being on patrol and managing many duties. He suggested citizens take back the plaza by bringing their families down and video the homeless to make them feel uncomfortable and unwanted.

CONFLICT OF INTEREST NOTIFICATION - None

(Any items on this agenda that might be a conflict of interest to any Councilmembers / Boardmembers should be identified at this time.)

PRESENTATIONS/APPOINTMENTS

(Presentations, Awards, Proclamations, Appointments).

City Council

1. Presentation of Proclamation to Patricia McKnight, Corresponding Secretary of the Chief Solano Chapter of the National Society Daughters of the American Revolution, Proclaiming September 16-23, 2012 as Constitution Week in Suisun City.

Mayor Sanchez read and Council Member Derting presented the proclamation to Ms. McKnight.

2. Presentation of Certificates of Appreciation for Participation in the Fourth of July Activities.

Mayor Sanchez read the names and Council Member presented the following Certificates of Appreciation:

The following were present:

Ad Hoc committee members Council Member Day, Derting, Lori Wilson, Laura Rowe, Daphne Smith.

Alive Orchestra, Kiwanis Club, and Travis AFB Civil Air Patrol

Suisun City Historic Waterfront District.

Suisun Kiwanis, Daytech Automotive, Daily Republic.

Suisun City Employees:

8:01 PM – Mayor Sanchez recessed the City Council for refreshments.

8:16 PM – Mayor Sanchez reconvened the City Council.

CONSENT CALENDAR

City Council

3. Approval of a Settlement Agreement with Keetra Welling – (Anderson).
 - a. Council Adoption of Resolution No. 2012-71: Authorizing the Execution of the Settlement Agreement between Keetra Welling and the City.
 - b. Council Adoption of Resolution No. 2012-72: Adopting the 12th Amendment to the Annual Appropriation Resolution No. 2011-62 Transferring \$27,500 from the Emergency Reserve to Non Departmental to Fund a Portion of the Settlement Agreement with Keetra Welling.

4. Council Adoption of Resolution No. 2012-73: Adopting the 11th Amendment to the Annual Appropriation Resolution No. 2011-62 to Transfer \$1,393,500 to the Successor Agency to the Redevelopment Agency of the City of Suisun City – (Garben).

Joint City Council / Suisun City Council Acting as Successor Agency

5. Council/Agency Approval of the Minutes of the Regular and/or Special Meetings of the Suisun City Council and Suisun City Council Acting as Successor Agency held on July 12, 2012 and July 17, 2012 – (Hobson).
6. Council/Agency Approval of the June 2012 Payroll Warrants in the amount of \$1,023,077.47 and July Payroll Warrants in the amount of \$609,420.61. Council/Agency Approval of the July 2012 Payable Warrants in the amount of \$748,815.13. – (Finance).

George Guynn expressed concern about the City paying \$35,000

Motioned by Council / Board Member Day and seconded by Council / Board Member Day to approve the Consent Calendar. Motion carried unanimously by members present.

GENERAL BUSINESS

Suisun City Council Acting as Successor Agency

7. Successor Agency Receiving and Accepting a Recognized Obligation Payment Schedule (ROPS) for the Period of January to June 2013 and Presentation on AB 1484 – (Garben).

Motioned by Council / Board Member Day and seconded by Council / Board Member Derting to receive and accept the Recognized Obligation Payment Schedule. Motion carried unanimously by members present.

PUBLIC HEARINGS:

REPORTS: (Informational items only.)

8. City Manager/Executive Director/Staff - None
9. Mayor/Council -Chair/Board Members

Council / Board Member Segala complimented Building/Public Works Director Kasperson for doing a good job on sidewalk repairs.

CLOSED SESSION

Pursuant to California Government Code Section 54950 the Suisun City Council and Successor will hold a Closed Session for the purpose of:

City Council

10. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(b): One potential case.

8:21 PM – Mayor Sanchez recessed the City Council to Closed Session.

CONVENE OPEN SESSION

Announcement of Actions Taken, if any, in Closed Session.

8:40 PM – Mayor Sanchez reconvened the City Council and stated no decisions had been made in Closed Session.

ADJOURNMENT

There being no further business, Mayor Sanchez adjourned the City Council meeting at 8:40 PM.

Linda Hobson, CMC
City Clerk

AGENDA TRANSMITTAL

MEETING DATE: September 18, 2012

CITY AGENDA ITEM: Awarding Construction Contract for Senior Center Reroof Project:

- a. Council Adoption of Resolution No. 2012-___: Declaring the Bid of Northwest Roofing & Waterproofing Inc. for the Senior Center Reroof Project as Non-Responsive.
 - b. Council Adoption of Resolution No. 2012-___: Authorizing the City Manager to Enter into a Construction Contract on the City's behalf with Solano County Roofing Inc. for the Senior Center Reroof Project.
-

FISCAL IMPACT: A CDBG Grant of \$685,000 has been approved and awarded for the Suisun City Senior Center Rehabilitation. The Senior Center Reroof Project is the first phase of the larger project. The contract award of \$55,328 plus a 10% contingency is within the available budget. There would be no impact on the General Fund.

BACKGROUND: October 19, 2010, the City received notice that the City was awarded a \$685,000 CDBG Grant to make improvements to the Suisun City Senior Center. This CDBG grant was approved for a comprehensive rehabilitation of the Senior Center with the primary goals of this project to include: a new roof, a new commercial-grade kitchen, safety code upgrades, energy-efficiency improvements, ADA improvements, and other building and site improvements.

In March 2011, a contract with Moniz Architecture was awarded for the completion of construction documents for this project. Subsequently plans and specifications were completed and the project was put out to bid.

On June 19, 2012, bids for the construction of the complete project were opened and all bids received were over budget. Furthermore, staff found irregularities in the bids. All bids were rejected. It was determined that it was in the best interest of the City to revise the construction documents to clarify certain details and provide for cost savings.

To facilitate this, it is staff's recommendation that the project be divided into two phases. Phase I would include the roof and related items. Phase II would include the remainder of the project. Phase I is to be completed immediately during the dry season and would provide for a weather tight shell for the completion of Phase II of the project. Phase II will be redesigned and put out to bid, so that construction of Phase II can start immediately following the holiday season. This schedule will allow for the completion of the project within grant deadlines.

STAFF REPORT: A revised set of construction documents was prepared that included only the work for Phase I and titled the Senior Center Reroof Project (Reroof Project). The Reroof Project was properly advertised and bids were opened at 2:00 PM on August 21, 2012. Bids from two contractors were received and the results are as follows:

Company	Total Bid
Northwest Roofing & Waterproofing Inc.	\$55,328
Solano County Roofing Inc.	\$55,900

PREPARED BY:

Daniel Kasperson, Building & Public Works Director

REVIEWED/APPROVED BY:

Suzanne Bragdon, City Manager

It should be noted that two protests about the bid results were received. They both primarily relate to the same basic issue in the bid documents. In those documents the Notice To Contractors states, in part:

Pursuant to California Public Contract Code Section 3300, the successful Bidder (Prime Contractor) will be required to possess a current State of California Class “B” Contractor’s License at the time the contract is awarded.

The purpose of this section and its reference is to ensure that the contractor is properly licensed to do the work. The Class B license is that of a general contractor who typically would then hire specialty contractors to do specific portions of the job. The largest subcontractor for this project would be a C-39 Roofing contractor. Staff determined that the Class B would be required because of the amount of carpentry work and other trades involved in addition to roofing.

These formal bid protests were received from Solano County Roofing Inc. (SCR) and the United Union of Roofers, Waterproofers and Allied Workers (Union). Those protests are attached. Their concerns were very similar and can be summarized as follows with staff responses:

- **Northwest Roofing & Waterproofing Inc. (NW) did not list any subcontractors.** Response: NW anticipates doing all of the work itself with no subcontractors. Furthermore NW contends that all of the work can be done by a C-39 Roofing contractor.
- **NW does not have a Class B contractor’s license.** Response: It is true that NW does not possess a Class B license. NW only has a C-39 Roofing license.
- **NW does not meet the Bid Specifications since they do not possess a Class B license.** Response: It is true that NW does not possess a Class B license as required in the Bid Specs.
- **NW does not have any state-certified Apprentices as required.** Response: NW has not provided proof of a certified Apprentice program.

A third counter “protest” letter was received from NW. However, it cannot be considered a Bid Protest as the letter did not protest the bid results and it was not received within the required deadline after bid opening. The letter was more in the form of a question about the Bid Documents themselves. The letter protested the wording in the Bid Documents that required the low bidder possess a Class B license. NW alleges that the City mistakenly labeled the required license as a Class B. NW further states that the roofing work cannot be done by a Class B contractor, therefore a C-39 should be allowed to bid.

The staff response is that the bid documents require that the bid be submitted by a Class B general contractor, but they do not require that the roofing work be done by the general contractor. All subcontractors must be listed. More importantly, the Notice to Contractors in the Bid Documents states in part:

Inquiries or questions based on alleged patent ambiguity of the plans, specifications or estimate must be communicated as a bidder inquiry prior to bid opening. ... Any such inquiries or questions, submitted after bid opening, will not be treated as a bid protest.

As the letter of protest from NW came after the bid opening, it is untimely and cannot be considered.

On September 13, 2012, the City received a copy of a letter from the Contractors State License Board which states in part:

The B – General Building Classification contractor would be allowed to bid on such a project but pursuant to Business and Professions Code Division 3, Chapter 9. Contractors, Article 4, Classifications would be required to sub-contract this project to a Specialty C39 – Roofing Contractor, unless they also held the C39 – Roofing classification.

This confirms staff's analysis of the issue.

Staff has reviewed the apparent low bid submitted by Northwest Roofing and found it to be non-responsive because it does not list a Class B contractor's license as required. The staff recommendation is that the Council confirm the rejection of the bid from NW as being non-responsive.

Staff has reviewed the next low bidder's proposal and bid documents and has determined that the bid submitted by Solano County Roofing Inc. (SCR) is responsive and that SCR is a responsible bidder. SCR possesses both Class B and a Class C-39 license. The bids fall within the engineer's estimate and within the available budget. The staff recommendation is to award for the Reroof Project to Solano County Roofing.

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 2012-___: Declaring the Bid of Northwest Roofing & Waterproofing Inc. for the Senior Center Reroof Project as Non-Responsive; and
2. Adopt Resolution No. 2012-___: Authorizing the City Manager to Enter into a Construction Contract on the City's behalf with Solano County Roofing Inc. for the Senior Center Reroof Project.

ATTACHMENTS:

1. Bid Protest from Solano County Roofing.
2. Bid Protest from the United Union of Roofers, Waterproofers and Allied Workers.
3. Letter from the Contractors State License Board.
4. Resolution No. 2012-___: Declaring the Bid of Northwest Roofing & Waterproofing Inc. for the Senior Center Reroof Project as Non-Responsive.
5. Resolution No. 2012-___: Authorizing the City Manager to Enter into a Construction Contract on the City's behalf with Solano County Roofing Inc. for the Senior Center Reroof Project.



August 27, 2012

The City of Suisun City
 Building Department
 701 Civic Center Blvd
 Suisun City, Ca 94585

Northwest Roofing & Waterproofing Inc.
 1140 Pitt School Road #F
 Dixon, Ca 95620

Statement of Protest (14.1)

Re: Suisun City Senior Center Reroof Project Bid.
Bid Date August 21, 2012 2:00pm

Dear Sirs/Madam,

(14.1.2) We are filing this letter of protest because we feel the low bidder Northwest Roofing & Waterproofing did not meet the specifications for the following reason-

1. No listing of subcontractor as required by Public Contract Code section 4100 for the Sheetmetal/HVAC, Painting or the Carpenter work. This work is more than ½ of 1 percent of the work on this project.
2. They do not have a Class B contractor's License to do all of the work listed above. See attached details (A).
3. They do not have a Class B contractor's License as required in the specification.Attachment (B)
4. We also believe they do not have any state certified Apprentices. Attachment (C)

We are requesting you reject Northwest Roofing & Waterproofing bid for not meeting the requirement of Public Contract Code section 4100 as listed in the bidding documents and not having the proper licenses.

Please call me if you have any questions.

Sincerely,

Robert Jay Almstrom
 Vice President, Project Estimator
 4349 Cordelia Road, Fairfield, Ca 707-864-6000 ext 12 (14.1.2)

Contractor's License Detail - License # 648029



⚠️ DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

CSLB complaint disclosure is restricted by law (B&P 7124.6) If this entity is subject to public complaint disclosure, a link for complaint disclosure will appear below. Click on the link or button to obtain complaint and/or legal action information.

Per B&P 7071.17, only construction related civil judgments reported to the CSLB are disclosed.

Arbitrations are not listed unless the contractor fails to comply with the terms of the arbitration.

Due to workload, there may be relevant information that has not yet been entered onto the Board's license database.

License Number	648029	Extract Date 8/23/2012
	NORTHWEST ROOFING & WATERPROOFING INC	
Business Information	Business Phone Number: (707) 678-9185	
	1140 PITT SCHOOL ROAD # F DIXON, CA 95620	
Entity	Corporation	
Issue Date	06/18/1992	
Expire Date	06/30/2014	
License Status	ACTIVE This license is current and active. All information below should be reviewed.	
Classifications	CLASS	DESCRIPTION
	C39	<u>ROOFING</u>
	CONTRACTOR'S BOND	
	This license filed a Contractor's Bond with <u>AMERICAN CONTRACTORS INDEMNITY COMPANY.</u>	
	Bond Number: 100178048	
	Bond Amount: \$12,500	
	Effective Date: 10/10/2011	
Bonding	<u>Contractor's Bond History</u>	
	BOND OF QUALIFYING INDIVIDUAL	
	1. The Responsible Managing Officer (RMO) WILLIAMS NORMAN ARNOLD certified that he/she owns 10 percent or more of the voting stock/equity of the corporation. A bond of qualifying individual is not required.	
	Effective Date: 06/18/1992	
	WORKERS' COMPENSATION	
	This license has workers compensation insurance with <u>STATE COMPENSATION INSURANCE FUND</u>	
Workers' Compensation	Policy Number: 713-0024059	
	Effective Date: 02/01/2008	
	Cancellation Date: 09/27/2012	
	<u>Workers' Compensation History</u>	

Personnel List

- 5.7 Bidder shall not modify or qualify the Bid Forms in any manner.
- 5.8 The Bid Forms shall be signed by a person or persons legally authorized to bind Bidder to the Contract. The individuals signing each document shall warrant that they are authorized to bind the legal entity of the Bidder.

6. DESIGNATION OF SUBCONTRACTORS

(A)

- 6.1 The Bidder shall comply with the Subletting and Subcontracting Fair Practices Act as set forth in California Public Contract Code Section 4100 et seq. (hereinafter referred to as the "Subcontracting Act"). Any reference in these Contract Documents to the requirements of the Subcontracting Act are for the Bidder's reference, and shall not limit the Bidder's or Contractor's obligations under law.
- 6.2 The Bidder shall list, in Section 5 of the Bid Form:
- 6.2.1 The name and location of the place of business of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work for this Project, or a subcontractor licensed by the State of California who, under subcontract to the Bidder, specially fabricates and installs a portion of the Work or improvements according to detailed drawings contained in the plans and specifications, in an amount in excess of the minimum threshold of the Subcontracting Act. Generally, the minimum threshold is one-half of one percent (0.5%) of Bidder's Bid Amount; however, if the contract is for the construction of streets (including highways or bridges), the minimum threshold is the greater of: (a) one-half of one percent (0.5%) of Bidder's Bid Amount, or (b) ten thousand dollars (\$10,000).
- 6.3 The Bidder shall list only one subcontractor for each portion of the Work as is defined by the Bidder in the Bid.
- 6.4 The Bidder shall not list any subcontractor who is ineligible pursuant to California Labor Code sections 1777.1 and 1777.7, and California Public Contract Code Section 6109.
- 6.5 The Bidder shall be subject to the penalties set forth in the Subcontracting Act if the Bidder lists in its Bid another contractor who will in turn sublet portions constituting the majority of Work covered by the prime contract.
- 6.6 If the Bidder fails to specify a subcontractor, or if the Bidder specifies more than one subcontractor for the same portion of the Work, the Bidder agrees that it is fully qualified to perform that portion itself, and that the Bidder shall perform that portion itself.

CITY OF SUISUN CITY, CALIFORNIA
NOTICE TO CONTRACTOR
 FOR CONSTRUCTION OF
 SENIOR CENTER REROOF PROJECT

(B)

Sealed proposals will be received by the City Clerk of the City of Suisun City, 701 Civic Center Boulevard, Suisun City, California 94585 until **2:00 pm on August 21, 2012** for the construction in accordance with the project plans and specifications to which special reference is made, as follows:

Description of Work:

In general, the Project involves improvements to the existing 4,984 square foot Senior Center including: replace roofing, dry rot repair, new sheathing & roofing in limited areas, and various other related items of work.

Inquiries or questions based on alleged patent ambiguity of the plans, specifications or estimate must be communicated as a bidder inquiry prior to bid opening. Questions must be submitted in writing and may be referred to Kevin Moirano at fax: 707-429-3758 or via email at kmoirano@suisun.com . Any such inquiries or questions, submitted after bid opening, will not be treated as a bid protest.

The construction cost is estimated on the range of \$25,000-\$40,000.

Plans and specifications may be inspected at the Building Department, 701 Civic Center Boulevard, Suisun City, CA 94585, and may be purchased for **\$25.00** per set. Mailed requests shall be addressed to the Department of Public Works, City of Suisun City, 701 Civic Center Boulevard, Suisun City, CA 94585. A postage and handling fee of \$10.00 shall be added per set of plans and specifications to be mailed. Special arrangements must be made for overnight mail service.

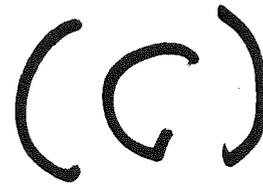
Bids from Contractors must be received no later than **August 21, 2012 at 2:00 pm**, at which time they will be publicly opened and read aloud in the City Council Chambers at City Hall. Said bids will be reviewed by City Staff and referred to the City Council of the City of Suisun City for consideration.

A non-mandatory pre-bid conference is scheduled for 10:00 am on August 8, 2012, 318 Merganser Drive, Suisun City, CA 94585.

Pursuant to California Public Contract Code Section 3300, the successful Bidder (Prime Contractor) will be required to possess a current State of California Class "B" Contractor's License at the time the contract is awarded.

A

Each bid shall be accompanied by a certified or cashier's check payable to the City of Suisun City or a satisfactory bid bond in favor of the City of Suisun City executed by the Bidder as principal, and a satisfactory surety company, licensed as such in the State of California, as surety, in an amount not less than 10% of the maximum amount of the bid.



[About Us](#) | [Consumer Services](#) | [Member Listing](#) | [Member Services](#) | [Links](#) | [Dumpsite Database](#)

MEMBERS :: CONTRACTORS

CALENDER OF EVENTS

Acker & Guerro Roofing
 Contact: George Acker
 Oakland, CA
 Phone: 415-765-1500
 Fax: 510-569-5425

Alameda Roofing Service, Inc.
 Contact: Tony Alameda
 Aptos, CA
 Phone: 831-476-2161
 Fax: 831-728-2197

IRCC NEWSLETTER

All Seasons Roofing
 Contact: Vlad Gorshstein
 San Jose, CA
 Phone: 408-972-4455
 Fax: 408-972-4177

Alton & Company
 Contact: Paul Sharp
 Santa Rosa, CA
 Phone: 707-576-1875
 Fax: 707-576-1910

DAILY KICKERS

Baker Roofing Company
 Contact: Joanne Baker
 Stockton, CA
 Phone: 209-462-8179
 Fax: 209-467-0802

Bigham Taylor Roofing Corporation
 Contact: Steve Galli
 Hayward, CA
 Phone: 510-886-0197
 Fax: 510-886-4347

California Single Ply
 Contact: James Mahle
 Roseville, CA
 Phone: 916 630-7380
 Fax: 916 630-7781

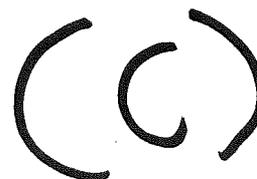
Cool Roofing Systems
 1286 Dupont Court
 Manteca, CA
 Ph: 209-825-0818
 Fax: 209-824-5581

D. C. Taylor Co.
 Contact: Bo Meyersieck
 Concord, CA
 Phone: 925-603-1100
 Fax: 925-603-1109

DRI Commercial - Irvine
 Contact: Timothy Davey
 Irvine, CA
 Phone: 949-852-9955
 Fax: 949-852-1160

DRI Services
 Contact: Brian Flaherty
 Hayward San Leandro, CA
 Phone: 510-372-2100
 Fax: 510-293-9399

FC & Sons Roofing Company
 Contact: Fernando Cabral
 Bell Gardens, CA
 Phone: 562-927-2310
 Fax: 562-927-3910



Fidelity Roof Company
Contact: Monte Upshaw
Oakland, CA
Phone: 510-547-6330
Fax: 510-658-0868

Horizon Roofing, Inc.
Contact: Larry Coleman
Shingle Springs, CA
Phone: 530-672-6600
Fax: 530-672-6900

Imperial Roofing
Contact: Patrick Hoffman
Elk Grove,
Phone: 9167140301
Fax: 9167140304

Kodiak Roofing & Waterproofing Co.
Contact: Dwayne Nash
Lincoln, CA
Phone: 916-315-0240
Fax: 916-660-0485

Legacy Roofing & Waterproofing
Contact: Robert Laubach
San Jose, CA
Phone: 408-467-0150
Fax: 408-467-0151

Louis & Associates, Inc.
Contact: Darrel Louis
Scotts Valley, CA
Phone: 831-439-0180
Fax: 831-439-0188

Madsen Roof Company, Inc.
Contact: Peter Madsen
Sacramento, CA
Phone: 916-361-3327
Fax: 916-361-3370

MCM Roofing
6256 Meadow Vista Dr.
Carmichael, CA
Ph: 916-241-9866
Fax: 916-241-9578

Priority Roofing Solutions, Inc.
Contact: Kennedy Figueroa
San Jose, CA
Phone: 408-532-8020
Fax: 408-532-8021

Progressive Roofing
17805 Comconex Rd.
Manteca CA 95336
Ph: 209-624-7301
Fax: 209-824-7235

ATTACHMENT A

Ross Roofing Company
Contact: Dick Ross
Sand City, CA
Phone: 831-394-8581
Fax: 831-394-3943

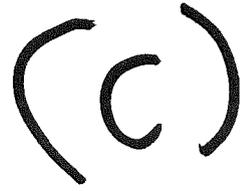
Rua Son Mechanical Inc
395-A South Highway 65 PMB#348
Lincoln, CA 95648
Ph: 916-543-9360
Fax: 916-543-9361

Scudder Roofing Company, Inc.
Contact: Pete Scudder
Monterey, CA
Phone: 831-373-7212
Fax: 831-883-2453

Shelton Roofing - Santa Cruz
Contact: Brett Shelton
Santa Cruz, CA
Phone: 831-464-4120
Fax: 831-476-7938

Shelton Roofing Company, Inc.
Contact: Paul Lawson
Mountain View, CA
Phone: 650-961-7699
Fax: 415-961-5069

Sierra Single Ply
Contact: Jeff Allison
McClellan, CA
Phone: 916-640-0123
Fax: 916-640-0124



Southwest Construction Company
Contact: James Gardner
S. San Francisco, CA
Phone:
Fax:

State Roofing Systems, Inc.
Contact: Jack White
San Leandro, CA
Phone: 510-317-1477
Fax: 510-568-4725

Waterproofing Associates
Contact: Dennis Ryan
Mountain View, CA
Phone: 650-937-1299
Fax: 650-965-9005

Wedge Roofing , Inc.
Contact: Ralph Wedge
Petaluma, CA
Phone: 707-763-5475
Fax: 707-778-8417

Western Single Ply
Contact: John Tanner
Loomis, CA
Phone: 916-652-3891
Fax: 916-652-8043

14. BID PROTESTS

- ✓ 14.1 Any protest of the proposed award of Bid to the Bidder deemed the Lowest Responsible Bidder must be submitted in writing to the City, no later than 5:00 PM of the fifth (5th) business day following the date of the Bid Opening.
 - ✓ 14.1.1 The initial protest must contain a complete statement of the basis for the protest.
 - ✓ 14.1.2 The protest must state the facts and refer to the specific portion of the document or the specific statute that form the basis for the protest. The protest must include the name, address, and telephone number of the person representing the protesting party.
 - ✓ 14.1.3 The party filing the protest must concurrently transmit a copy of the initial protest to the Bidder deemed the lowest responsible Bidder.
 - ✓ 14.1.4 A party may not rely on the Bid Protest submitted by another Bidder, but must timely pursue its own protest.
 - ✓ 14.1.5 The procedure and time limits set forth in this Section are mandatory and are the Bidder's sole and exclusive remedy in the event of a Bid Protest. The Bidder's failure to fully comply with these procedures shall constitute a waiver of any right to further pursue the Bid Protest, including filing of a challenge of the award pursuant to the California Public Contracts Code, filing of a claim pursuant to the California Government Code or filing of any other legal proceedings.
- 14.1.6 The City shall review all timely protests prior to formal award of the Bid. The City shall not be required to hold an administrative hearing to consider any timely protest, but may do so at the option of the City Manager. At the time of the City Council's consideration of the award of the bid, the City Council shall also consider the merits of any timely protests. The City Council may either accept the protest and award the bid to the next lowest responsible Bidder or reject the protest and award to the lowest responsible Bidder. Nothing in this section shall be construed as a waiver of the City Council's right to reject all bids. In any event, the City Council's decision is final.
- 14.1.7 These bid protest procedures shall not limit the City Council's ability to reject all bids.

City of Suisun City
Department of Public Works

Senior Center Reroof Project
Bid Results
August 21, 2012 @ 2 pm

TO:
Plan Holders
Building Exchanges

The apparent low bidder is Northwest Roofing

Company	Base Project
Northwest Roofing	\$55,328.00
Solano County Roofing	\$55,900.00



United Union of Roofers,
Waterproofers and Allied Workers

AFFILIATED WITH AFL-CIO AND BUILDING AND CONSTRUCTION TRADES DEPARTMENT

Local Union No. 81



8400 Enterprise Way, Room 122, Oakland, Ca. 94621

510/632-0505

The City of Suisun City
701 Civic Center Blvd.
Suisun City, CA 94585
Attn: Daniel Kasperson, Chief Building Official



Re: Suisun City Senior Center Re-Roof Project

Dear Daniel Kasperson,

Please consider this an official Bid Protest for the project listed above for the following:

- ** Northwest Roofing & Waterproofing, Inc., CA License Number 648029, does not possess a current "Class B" license as a requirement listed in the City of Suisun's solicitation for bids for the above project. (Attachment 1) (A)
- ** Without possessing a valid contractors "Class B" license, Northwest Roofing & Waterproofing, Inc. is unable to "self-perform" various other related items of work as described in the City of Suisun's solicitation for bids. (Attachment 2) (B)
- ** Northwest Roofing & Waterproofing, Inc., unable to "self-perform" various other items listed for this bid, failed to list any "sub-contractors" as required by the CA Contract Code 4104(a),4106(a). (Attachment 3) (C)

If you have any questions, or if I can be of any assistance, please do not hesitate in calling me at the number listed on this letterhead.

Sincerely,


Morgan Nolde
Business Representative

Cc: Northwest Roofing & Waterproofing, Inc.
1140 Pitt School Road, #F
Dixon, CA 95620

(A)

CITY OF SUISUN CITY, CALIFORNIA
NOTICE TO CONTRACTOR
FOR CONSTRUCTION OF
SENIOR CENTER REROOF PROJECT

Sealed proposals will be received by the City Clerk of the City of Suisun City, 701 Civic Center Boulevard, Suisun City, California 94585 until 2:00 pm on August 21, 2012 for the construction in accordance with the project plans and specifications to which special reference is made, as follows:

Description of Work:

In general, the Project involves improvements to the existing 4,984 square foot Senior Center including: replace roofing, dry rot repair, new sheathing & roofing in limited areas, and various other related items of work.

Inquiries or questions based on alleged patent ambiguity of the plans, specifications or estimate must be communicated as a bidder inquiry prior to bid opening. Questions must be submitted in writing and may be referred to Kevin Moirano at fax: 707-429-3758 or via email at kmoirano@suisun.com. Any such inquiries or questions, submitted after bid opening, will not be treated as a bid protest.

The construction cost is estimated on the range of \$25,000-\$40,000.

Plans and specifications may be inspected at the Building Department, 701 Civic Center Boulevard, Suisun City, CA 94585, and may be purchased for \$25.00 per set. Mailed requests shall be addressed to the Department of Public Works, City of Suisun City, 701 Civic Center Boulevard, Suisun City, CA 94585. A postage and handling fee of \$10.00 shall be added per set of plans and specifications to be mailed. Special arrangements must be made for overnight mail service.

Bids from Contractors must be received no later than August 21, 2012 at 2:00 pm, at which time they will be publicly opened and read aloud in the City Council Chambers at City Hall. Said bids will be reviewed by City Staff and referred to the City Council of the City of Suisun City for consideration.

A non-mandatory pre-bid conference is scheduled for 10:00 am on August 8, 2012, 318 Merganser Drive, Suisun City, CA 94585.

Pursuant to California Public Contract Code Section 3300, the successful Bidder (Prime Contractor) will be required to possess a current State of California Class "B" Contractor's License at the time the contract is awarded.



Each bid shall be accompanied by a certified or cashier's check payable to the City of Suisun City or a satisfactory bid bond in favor of the City of Suisun City executed by the Bidder as principal, and a satisfactory surety company, licensed as such in the State of California, as surety, in an amount not less than 10% of the maximum amount of the bid.



DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board**Contractor's License Detail - License # 648029**

! **DISCLAIMER:** A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

CSLB complaint disclosure is restricted by law ([B&P 7124.6](#)) If this entity is subject to public complaint disclosure, a link for complaint disclosure will appear below. Click on the link or button to obtain complaint and/or legal action information.

Per [B&P 7071.17](#), only construction related civil judgments reported to the CSLB are disclosed.

Arbitrations are not listed unless the contractor fails to comply with the terms of the arbitration.

Due to workload, there may be relevant information that has not yet been entered onto the Board's license database.

License Number	648029	Extract Date 8/28/2012				
Business Information	NORTHWEST ROOFING & WATERPROOFING INC Business Phone Number: (707) 678-9185 1140 PITT SCHOOL ROAD # F DIXON, CA 95620					
Entity	Corporation					
Issue Date	06/18/1992	Attachment B				
Expire Date	06/30/2014					
License Status	ACTIVE This license is current and active. All information below should be reviewed.					
Classifications	<table border="0"> <thead> <tr> <th>CLASS</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>C39</td> <td><u>ROOFING</u></td> </tr> </tbody> </table>		CLASS	DESCRIPTION	C39	<u>ROOFING</u>
CLASS	DESCRIPTION					
C39	<u>ROOFING</u>					
Bonding	CONTRACTOR'S BOND This license filed a Contractor's Bond with <u>AMERICAN CONTRACTORS INDEMNITY COMPANY.</u> Bond Number: 100178048 Bond Amount: \$12,500 Effective Date: 10/10/2011 <u>Contractor's Bond History</u> BOND OF QUALIFYING INDIVIDUAL <ol style="list-style-type: none"> The Responsible Managing Officer (RMO) WILLIAMS NORMAN ARNOLD certified that he/she owns 10 percent or more of the voting stock/equity of the corporation. A bond of qualifying individual is not required. Effective Date: 06/18/1992 					
Workers' Compensation	WORKERS' COMPENSATION					

ATTACHMENT 2

This license has workers compensation insurance with
STATE COMPENSATION INSURANCE FUND

Policy Number: 713-0024059

Effective Date: 02/01/2008

Cancellation Date: 09/27/2012

Workers' Compensation History

Personnel List

Conditions of Use | Privacy Policy
Copyright © 2010 State of California



DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board

Contractor's License Detail (Personnel List)

Contractor License #: 648029

Contractor Name: NORTHWEST ROOFING & WATERPROOFING INC

Click on the person's name to see a more detailed page of information on that person

NAME	TITLE	ASSOCIATION DATE	DISASSOCIATION DATE	CLASS	MORE CLASS
NORMAN ARNOLD WILLIAMS	RMO/CEO/PRES	06/18/1992		C39	More
LAWRENCE WAYNE FRANKO	OFFICER	06/18/1992	02/01/1996		
JERI JOANNE WILLIAMS	OFFICER	02/01/1996			

[Conditions of Use](#) | [Privacy Policy](#)
Copyright © 2010 State of California



DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board

(B)

B - General Building Contractor**Business & Professions Code****Division 3, Chapter 9. Contractors, Article 4. Classifications**

7057. (a) Except as provided in this section, a general building contractor is a contractor whose principal contracting business is in connection with any structure built, being built, or to be built, for the support, shelter, and enclosure of persons, animals, chattels, or movable property of any kind, requiring in its construction the use of at least two unrelated building trades or crafts, or to do or superintend the whole or any part thereof.

This does not include anyone who merely furnishes materials or supplies under Section 7045 without fabricating them into, or consuming them in the performance of the work of the general building contractor.

(b) A general building contractor may take a prime contract or a subcontract for a framing or carpentry project. However, a general building contractor shall not take a prime contract for any project involving trades other than framing or carpentry unless the prime contract requires at least two unrelated building trades or crafts other than framing or carpentry, or unless the general building contractor holds the appropriate license classification or subcontracts with an appropriately licensed specialty contractor to perform the work. A general building contractor shall not take a subcontract involving trades other than framing or carpentry, unless the subcontract requires at least two unrelated trades or crafts other than framing or carpentry, or unless the general building contractor holds the appropriate license classification. The general building contractor may not count framing or carpentry in calculating the two unrelated trades necessary in order for the general building contractor to be able to take a prime contract or subcontract for a project involving other trades.

(c) No general building contractor shall contract for any project that includes the "C-16" Fire Protection classification as provided for in Section 7026.12 or the "C-57" Well Drilling classification as provided for in Section 13750.5 of the Water Code, unless the general building contractor holds the specialty license, or subcontracts with the appropriately licensed specialty contractor.

(Amended by Stats. 1997, Chapter 812 (SB 857).)

[Conditions of Use](#) | [Privacy Policy](#)
Copyright © 2012 State of California



DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board

C39 - Roofing Contractor

California Code of Regulations

Title 16, Division 8, Article 3. Classifications

A roofing contractor installs products and repairs surfaces that seal, waterproof and weatherproof structures. This work is performed to prevent water or its derivatives, compounds or solids from penetrating such protection and gaining access to material or space beyond. In the course of this work, the contractor examines and/or prepares surfaces and uses the following material: asphaltum, pitch, tar, felt, glass fabric, urethane foam, metal roofing systems, flax, shakes, shingles, roof tile, slate or any other roofing, waterproofing, weatherproofing or membrane material(s) or a combination thereof.

Authority cited: Sections 7008 and 7059, Reference: Sections 7058 and 7059 (Business and Professions Code)

[Conditions of Use](#) | [Privacy Policy](#)
Copyright © 2012 State of California

PUBLIC CONTRACT CODE SECTION 4100-4114

(c)

4100. This chapter may be cited as the "Subletting and Subcontracting Fair Practices Act."

4101. The Legislature finds that the practices of bid shopping and bid peddling in connection with the construction, alteration, and repair of public improvements often result in poor quality of material and workmanship to the detriment of the public, deprive the public of the full benefits of fair competition among prime contractors and subcontractors, and lead to insolvencies, loss of wages to employees, and other evils.

4103. Nothing in this chapter limits or diminishes any rights or remedies, either legal or equitable, which:

(a) An original or substituted subcontractor may have against the prime contractor, his or her successors or assigns.

(b) The state or any county, city, body politic, or public agency may have against the prime contractor, his or her successors or assigns, including the right to take over and complete the contract.

4104. Any officer, department, board or commission taking bids for the construction of any public work or improvement shall provide in the specifications prepared for the work or improvement or in the general conditions under which bids will be received for the doing of the work incident to the public work or improvement that any person making a bid or offer to perform the work, shall, in his or her bid or offer, set forth:

(a) (1) The name and the location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or, in the case of bids or offers for the construction of streets or highways, including bridges, in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

(2) (A) Subject to subparagraph (B), any information requested by the officer, department, board, or commission concerning any subcontractor who the prime contractor is required to list under this subdivision, other than the subcontractor's name and location of business, may be submitted by the prime contractor up to 24 hours after the deadline established by the officer, department, board, or commission for receipt of bids by prime contractors.

(B) A state or local agency may implement subparagraph (A) at its option.

(b) The portion of the work that will be done by each subcontractor under this act. The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in his or her bid.

4104.5. (a) The officer, department, board, or commission taking bids for construction of any public work or improvement shall specify in the bid invitation and public notice the place the bids of the prime contractors are to be received and the time by which they shall be received. The date and time shall be extended by no less than 72 hours if the officer, department, board, or commission issues any material changes, additions, or deletions to the invitation later than 72 hours prior to the bid closing. Any bids received after the time specified in the notice or any extension due to material changes shall be returned unopened.

(b) As used in this section, the term "material change" means a change with a substantial cost impact on the total bid as determined by the awarding agency.

(c) As used in this section, the term "bid invitation" shall include any documents issued to prime contractors that contain descriptions of the work to be bid or the content, form, or manner of submission of bids by bidders.

4105. Circumvention by a general contractor who bids as a prime contractor of the requirement under Section 4104 for him or her to list his or her subcontractors, by the device of listing another contractor who will in turn sublet portions constituting the majority of the work covered by the prime contract, shall be considered a violation of this chapter and shall subject that prime contractor to the penalties set forth in Sections 4110 and 4111.

4106. If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of 1 percent of the prime contractor's total bid, the prime contractor agrees that he or she is fully qualified to perform that portion himself or herself, and that the prime contractor shall perform that portion himself or herself.

If after award of contract, the prime contractor subcontracts, except as provided for in Sections 4107 or 4109, any such portion of the work, the prime contractor shall be subject to the penalties named in Section 4111.

4107. A prime contractor whose bid is accepted may not:

(a) Substitute a person as subcontractor in place of the subcontractor listed in the original bid, except that the awarding authority, or its duly authorized officer, may, except as otherwise provided in Section 4107.5, consent to the substitution of another person as a subcontractor in any of the following situations:

(1) When the subcontractor listed in the bid, after having had a reasonable opportunity to do so, fails or refuses to execute a written contract for the scope of work specified in the subcontractor's bid and at the price specified in the subcontractor's bid, when

**UNITED UNION OF ROOFERS
WATERPROOFERS AND ALLIED WORKERS**
AFFILIATED WITH AFL-CIO BUILDING AND CONSTRUCTION TRADES DEPARTMENT

LOCAL UNION 81

8400 ENTERPRISE WAY, ROOM 122, OAKLAND CA 94621 (510) 632-0505

FAX COVER SHEET

DATE: 08/28/2012

TO: NORTHWEST REG. & WATERPROOFING Fax #: (707) 678-0447

ATTN: MANAGEMENT

RE: BID PROTEST

FROM: MORGAN WOLFE

Roofers Local 81
8400 Enterprise Way
Oakland, CA 94621
Fax No. (510) 632-5469

Number of Pages (including cover sheet) 13

MESSAGE: COPY IN MAIL

**CONTRACTORS STATE LICENSE BOARD**

9821 Business Park Drive, Sacramento, California 95827
Mailing Address: P.O. Box 26000, Sacramento, CA 95826
800.321.CSLB (2752) | www.cslb.ca.gov | CheckTheLicenseFirst.com

STATE OF CALIFORNIA
Governor Edmund G. Brown Jr.

September 12, 2012

Mr. Brian Williams
Northwest Roofing & Waterproofing #648029
1140 Pitt School Road #F
Dixon, CA 95620

Re: Suisun City Senior Center Reroof Project

Mr. Williams,

After reviewing the submitted documentation, I have reviewed the scope of work detailed for the reroof project for the Suisun City Senior Center Project and have determined that the most applicable classification to undertake this project would be the C39 – Roofing Classification. This is due to the fact the scope of work would include Asphalt Shingles, Four Ply Built-up Roof System and all associated flashings and sheet metals.

The B – General Building Classification contractor would be allowed to bid on such a project but pursuant to Business and Professions Code Division 3, Chapter 9. Contractors, Article 4, Classifications would be required to sub-contract this project to a Specialty C39 – Roofing Contractor, unless they also held the C39 – Roofing classification. If the B – General Contractor executed this contract and performed the work themselves, they would be in violation of Business and Professions Code Section 7117.6 – Acting as a Contractor in an unauthorized classification, and would be subject to discipline from the Contractors State License Board.

I have included the classification descriptions below for the B – General Building Contractor and the C39 – Roofing Contractor for your review.

Sincerely,

Rick Villucci ERII
Classification Deputy
Senior Investigator
Contractors State License Board
9821 Business Park Drive
Sacramento, CA 95826
916-255-4138

B - General Building Contractor**Business & Professions Code Division 3, Chapter 9. Contractors, Article 4. Classifications**

7057. (a) Except as provided in this section, a general building contractor is a contractor whose principal contracting business is in connection with any structure built, being built, or to be built, for the support, shelter, and enclosure of persons, animals, chattels, or movable property of any kind, requiring in its construction the use of at least two unrelated building trades or crafts, or to do or superintend the whole or any part thereof.

This does not include anyone who merely furnishes materials or supplies under Section 7045 without fabricating them into, or consuming them in the performance of the work of the general building contractor.

(b) A general building contractor may take a prime contract or a subcontract for a framing or carpentry project. However, a general building contractor shall not take a prime contract for any project involving trades other than framing or carpentry unless the prime contract requires at least two unrelated building trades or crafts other than framing or carpentry, or unless the general building contractor holds the appropriate license classification or subcontracts with an appropriately licensed specialty contractor to perform the work. A general building contractor shall not take a subcontract involving trades other than framing or carpentry, unless the subcontract requires at least two unrelated trades or crafts other than framing or carpentry, or unless the general building contractor holds the appropriate license classification. The general building contractor may not count framing or carpentry in calculating the two unrelated trades necessary in order for the general building contractor to be able to take a prime contract or subcontract for a project involving other trades.

(c) No general building contractor shall contract for any project that includes the "C-16" Fire Protection classification as provided for in Section 7026.12 or the "C-57" Well Drilling classification as provided for in Section 13750.5 of the Water Code, unless the general building contractor holds the specialty license, or subcontracts with the appropriately licensed specialty contractor.

C39 - Roofing Contractor**California Code of Regulations Title 16, Division 8, Article 3. Classifications**

A roofing contractor installs products and repairs surfaces that seal, waterproof and weatherproof structures. This work is performed to prevent water or its derivatives, compounds or solids from penetrating such protection and gaining access to material or space beyond. In the course of this work, the contractor examines and/or prepares surfaces and uses the following material: asphaltum, pitch, tar, felt, glass fabric, urethane foam, metal roofing systems, flax, shakes, shingles, roof tile, slate or any other roofing, waterproofing, weatherproofing or membrane material(s) or a combination thereof.

RESOLUTION NO. 2012 - _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
DECLARING THE BID OF NORTHWEST ROOFING & WATERPROOFING INC.
FOR THE SENIOR CENTER REROOF PROJECT AS NON-RESPONSIVE**

WHEREAS, on October 19, 2010, the City received notice that we were awarded a \$685,000 CDBG Grant to make improvements to the Suisun City Senior Center for a comprehensive rehabilitation of the Senior Center with the primary goal of this project to include a new roof, a new commercial-grade kitchen, safety code upgrades, energy-efficiency improvements, ADA improvements, and other building and site improvements; and

WHEREAS, staff has prepared plans, specifications and an estimate for bidding Phase I of this project which includes the new roof and other work to facilitate the roofing (Phase I); and

WHEREAS, two bid proposals for Phase I were received by the City before 2:00 PM on August 21, 2012, and were opened and read; and

WHEREAS, Northwest Roofing & Waterproofing Inc. (NW), was the apparent low bidder providing a bid of \$55,328 for the Phase I Base Bid; and

WHEREAS, formal bid protests were received from Solano County Roofing Inc. and the United Union of Roofers Waterproofers and Allied Workers with those protests being received timely and correct as to form; and

WHEREAS, included in those protests was the allegation that NW did not possess a Class B Contractor's License as required in the Bid Specifications; and

WHEREAS, staff has verified that NW does not possess a Class B Contractor's License and the Bid Specifications do require a Class B License.

NOW, THEREFORE, BE IT RESOLVED, that that the City Council of the City of Suisun City declares that the bid from NW is a non-responsive bid submitted for the Senior Center Reroof Project.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 18th day of September 2012, by the following vote:

AYES: Councilmembers: _____
NOES: Councilmembers: _____
ABSENT: Councilmembers: _____
ABSTAIN: Councilmembers: _____

WITNESS my hand and the seal of said City this 18th day of September, 2012.

Donna Pock, CMC
Deputy City Clerk

RESOLUTION NO. 2012 - ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY
AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION
CONTRACT ON THE CITY'S BEHALF WITH SOLANO COUNTY ROOFING INC.
FOR THE SENIOR CENTER REROOF PROJECT**

WHEREAS, on October 19, 2010, the City received notice that we were awarded a \$685,000 CDBG Grant to make improvements to the Suisun City Senior Center for a comprehensive rehabilitation of the Senior Center with the primary goal of this project to include a new roof, a new commercial-grade kitchen, safety code upgrades, energy-efficiency improvements, ADA improvements, and other building and site improvements; and

WHEREAS, staff has prepared plans, specifications and an estimate for bidding Phase I of this project which includes the new roof and other work to facilitate the roofing (Phase I); and

WHEREAS, two bid proposals for Phase I were received by the City before 2:00 PM on August 21, 2012, and were opened and read and Northwest Roofing & Waterproofing Inc. (NW) was the apparent low bidder providing a bid of \$55,328 for the Phase I Base Bid; and

WHEREAS, the City Council has declared the bid from NW to be Non-Responsive; and

WHEREAS, the second low bidder was Solano County Roofing Inc. (SCR) having provided a bid of \$55,900; and

WHEREAS, staff has reviewed SCR's cost proposal and bid documents and has determined that the bid submitted by SCR is responsive and that SCR is a responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Suisun City authorizes the City Manager to enter into a construction contract on behalf of the City with Solano County Roofing Inc. for the Senior Center Reroof Project for the contract cost of \$55,900 and to take any and all necessary and appropriate actions to implement this contract. The City Council further authorizes the City Manager to approve changes for contingencies as necessary up to an additional \$5,590.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Suisun City duly held on Tuesday, the 18th day of September 2012, by the following vote:

AYES:	Councilmembers:	_____
NOES:	Councilmembers:	_____
ABSENT:	Councilmembers:	_____
ABSTAIN:	Councilmembers:	_____

WITNESS my hand and the seal of said City this 18th day of September, 2012.

Donna Pock, CMC
Deputy City Clerk