

**CITY OF ARCATA  
CITY COUNCIL MEETING**

COUNCIL CHAMBER  
736 F Street, Arcata

OCTOBER 05, 2022  
Wednesday, 6:00 PM

**AGENDA**

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Special accommodations for the disabled who attend City meetings can be made in advance by contacting the City Clerk at 822-5953. Assistive listening devices are available.

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Pursuant to Government Code section 54957.5, all writings or documents relating to any item on this agenda which have been provided to a majority of the City Council, including those received less than 72 hours prior to the City Council meeting, will be made available for public inspection in the agenda binder located on the counter in the lobby at Arcata City Hall, 736 F Street, during normal business hours, and on the City's website at [www.cityofarcata.org](http://www.cityofarcata.org).

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PLEASE NOTE: Speakers wishing to distribute materials to the City Council at the meeting are requested to provide 10 copies to the City Clerk.

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**Public Advisory: The Council Chamber in City Hall  
is now open to the public.**

**COVID-19 Notice**

The City Council has returned to in-person hybrid meetings. The City Council asks that when attending City meetings, persons socially distance as best they can and be courteous to those who continue to choose to wear a mask.

**How to Observe and Participate in the Meeting:**

Observe:

Members of the public can attend the meeting in person or observe the meeting on Zoom (see below), on Access Humboldt Channel 10, online by visiting [www.cityofarcata.org](http://www.cityofarcata.org) and clicking on the See Live Meetings, Agendas, and Archives button on the home page, or on the City's YouTube channel at <https://www.youtube.com/c/CityofArcataCA>

Public Comment Participation in Person and on Zoom:

Members of the public may attend the meeting in person and give public comment. Or, they may access the meeting via Zoom to provide public comment.

1. Join from a PC, Mac, iPad, iPhone or Android device: Please use this URL:  
<https://us06web.zoom.us/j/81741357371>

2. If you want to comment during the public comment portion of any item, click on **raise your hand** on the right-hand side of your screen. When it is time for public comment on the item on which you wish to speak, the Clerk will unmute you. You will have 3 minutes to comment (2 minutes for Early Oral Communications), subject to the Mayor's discretion.

Or join by phone:

1. \*67 1-669-900-6833
2. Enter Meeting ID: 817 4135 7371
3. If you are accessing the meeting via telephone and want to comment during the public comment portion of any item, press **star (\*) 9** on your phone. This will raise your hand. When it is time for public comment on the item on which you wish to speak, the Clerk will unmute your phone. You will hear a prompt that will indicate your phone is unmuted. You will have 3 minutes to comment (2 minutes for Early Oral Communications), subject to the Mayor's discretion.

**I. LAND ACKNOWLEDGMENT**

**II. FLAG SALUTE**

**III. ROLL CALL**

**IV. CEREMONIAL MATTERS**

**A. Proclamation in Recognition of *Fire Prevention Week, October 9-15, 2022.***

**B. Proclamation Recognizing October 2022 as *Community Planning Month.***

**C. Proclamation Recognizing October 2022 as *Domestic Violence Awareness Month.***

**V. REPORT BY COMMISSION/COMMITTEE**

**A. Annual Report from the Transportation Safety Committee.**

**VI. EARLY ORAL COMMUNICATIONS**

The City Council values your comments. This 15-minute time period allows people to address the Council on matters not on the agenda. Please know that, pursuant to the Brown Act, the Council cannot discuss or take action on items that are not listed on the posted agenda. At the end of all oral communications the Council may respond to

statements. Supported requests that require Council action will be set for a future agenda or referred to staff. Speakers may be limited to 2 minutes. There will also be time for the public to comment specifically on each agenda item and again at the end of the meeting under item number XII (12).

**VII. N/A**

**VIII. CONSENT CALENDAR**

All matters on the Consent Calendar are considered to be routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is required, that item is removed from the Consent Calendar and considered separately. At the end of the reading of the Consent Calendar, Council members or members of the public can request that an item be removed for separate discussion.

- A. Approve the Minutes of the City Council Meeting of September 7, 2022.**
- B. Approve the Minutes of the City Council Meeting of September 21, 2022.**
- C. Bi-Weekly Report on Disbursements.**
- D. Declare a Continuation of the Local Emergency Related to the Coronavirus Pandemic.**
- E. Award a Construction Contract for the 2022 10th Street Sewer Improvement Project to Mobley Construction, dba MCI in the Amount of \$170,125.00; Authorize the City Engineer to Increase the Contract Amount by up to \$25,518.75 (15 Percent, for a Total of \$195,643.75) to Allow for Any Unforeseen Contingencies and Additional Work as Necessary; and Authorize the City Manager to Execute All Applicable Documents.**

**IX. ITEMS REMOVED FROM CONSENT CALENDAR**

Items removed from the Consent Calendar will be heard under this section.

**X. OLD BUSINESS**

**XI. NEW BUSINESS**

- A. Conduct a Public Hearing to Receive Input regarding Unmet Transit Needs and Direct Staff to Forward All Comments to the Humboldt County Association of Governments.**

Annually, the Humboldt County Association of Governments (HCAOG) reviews unmet transit needs through a multi-jurisdictional public hearing process throughout Humboldt County. As part of this annual process, HCAOG encourages member entities to conduct separate public hearings to receive local comments. Comments can also be received by email, mail, and telephone prior to December 31, 2022. To be included in this year's

report of findings, send comments regarding the Arcata and Mad River Transit System (A&MRTS) directly to:

City of Arcata  
Attn: LeAnn Schuetzle, Arcata & Mad River Transit System  
736 F Street  
Arcata, CA 95521  
(707) 822-3775  
lschuetzle@cityofarcata.org

HCAOG will also receive comments directly on unmet transit needs until December 31, 2022, at:

HCAOG Office  
Attn: Beth Burks  
611 I Street, Suite B  
Eureka, CA 95501  
(707) 444-8208  
Beth.Burks@hcaog.net

**RECOMMENDATION:**

It is recommended that the Council conduct a public hearing to receive input regarding unmet transit needs, and direct staff to forward all comments to the Humboldt County Association of Governments (HCAOG).

- B. Waive Immaterial and Minor Bid Discrepancies and Award a Construction Contract for the Phase 1 of the Arcata Wastewater Treatment Facilities Improvement Project to Wahlund Construction, Inc., in the Amount of \$51,495,000.57, Authorize the City Engineer to Increase the Contract Amount by up to \$3,089,700.03 (6 Percent, for a Total of \$54,584,700.60) to Allow for Any Unforeseen Contingencies and Additional Work as Necessary; and Authorize the City Manager to Execute All Applicable Documents.**

The City of Arcata has been working diligently to prepare plans for needed rehabilitation of the Wastewater Treatment Plant. The total project cost for Phase 1 of the improvements is approximately \$54 million. The project will be funded via a combination of the City's Wastewater Fund, and the State Water Resources Control Board Clean Water State Revolving Fund (SRF) program. The City applied for SRF funding in 2019 and is on track to execute a contract for the funding before the start of construction.

**RECOMMENDATION:**

It is recommended that the Council:

- 1) Waive immaterial and minor bid discrepancies and award a Construction Contract for the Phase 1 of the Arcata Wastewater Treatment Facilities Improvement Project to Wahlund Construction, Inc., in the amount of \$51,495,000.57;

- 2) Authorize the City Engineer to increase the Contract amount by up to \$3,089,700.03 (6 percent, for a total of \$54,584,700.60) to allow for any unforeseen contingencies and additional work as necessary; and
- 3) Authorize the City Manager to execute all applicable documents.

**XII. ORAL AND WRITTEN COMMUNICATIONS**

The City appreciates public input. This time is provided for people to address the Council or submit written communications on matters not on the agenda. Please know that, pursuant to the Brown Act, the Council cannot discuss or take action on items that are not listed on the posted agenda. At the end of all oral and written communications, the Council may respond to statements. Supported requests that require Council action will be set by the Council for a future agenda or referred to staff. Speakers addressing the Council may be limited to 3 minutes, with a maximum of 5 minutes, and a time limit on the overall length of oral communications may be imposed.

**XIII. COUNCIL AND STAFF REPORTS**

All reports shall be specifically limited to City business and shall not request or lead to action by the Council at this meeting.

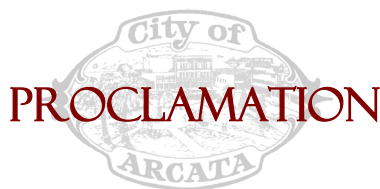
**XIV. DATES OF FUTURE MEETINGS**

**XV. CLOSED SESSION**

**XVI. CLOSED SESSION REPORTS**

**XVII. ADJOURNMENT**

Other than items continued or tabled to a date certain, the Council may, by majority vote, continue all matters not completed by 10:30 p.m. to the following Thursday at 6:00 p.m. in the Council Chamber. Should the Council vote to continue the meeting past 10:30 p.m., discussion on an item on the agenda that either requires or allows for public input may not begin without a unanimous vote of the City Council members present. (Closed Session items may begin later.) (Reference: Resolution No. 101-69)



*in Recognition of*  
**FIRE PREVENTION WEEK**  
*October 9-15, 2022*

**WHEREAS**, home, the place people often feel safest from fire, is actually where they are at greatest risk, with 74 percent of all U.S. fire deaths occurring in homes; and

**WHEREAS**, people are more likely to die in a home fire today than they were in 1980. Newer homes are built with lightweight materials that burn faster than older home constructions, and many of today's products and furnishings produce toxic gases and smoke when burned, making it impossible to see and breathe within moments. These conditions create a much shorter timeframe, as little as one to two minutes, for people to escape after the smoke alarm sounds; and

**WHEREAS**, paying attention to your surroundings, looking for available exits in the event of a fire or other emergency, and taking the smoke alarm seriously if it sounds can make a potentially life-saving difference in a fire or other emergency; and

**WHEREAS**, home fire escape plans should be developed by all household members and practiced twice a year to ensure that everyone knows what to do in a real fire; and

**WHEREAS**, Arcata's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

**WHEREAS**, the 2022 Fire Prevention Week theme, "Fire Won't Wait. Plan Your Escape," promotes potentially life-saving messages that can mean the difference between life and death in a fire. Developing a home escape plan with all members of the household and practicing it regularly ensures that everyone knows what to do when the smoke alarm sounds and uses that time wisely.

**NOW, THEREFORE, BE IT PROCLAIMED** that the City Council of the City of Arcata hereby recognizes **October 9–15, 2022**, as **FIRE PREVENTION WEEK** throughout this community. The Council is committed to ensuring the safety and security of all those living in and visiting Arcata and urges Arcatans to participate in the many public safety activities and efforts of the Arcata Fire District and emergency services during Fire Prevention Week 2022.

*Dated: October 5, 2022*

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*Stacy Atkins-Salazar*  
 Mayor



*Recognizing October 2022 as*  
**COMMUNITY PLANNING MONTH**

**WHEREAS**, community planning is a dynamic and collaborative practice that promotes sound land use, economic prosperity, environmental stewardship, and a high quality of life; and

**WHEREAS**, community planning is a principal way that all residents can be meaningfully involved in making choices that determine the future of their community; and

**WHEREAS**, community planning has proven vital to creating resilient communities that can quickly and efficiently respond to hardships such as the COVID-19 pandemic and unprecedented wildfires; and

**WHEREAS**, the full benefits of planning require public officials and residents who understand, support, and demand excellence in planning and plan implementation; and

**WHEREAS**, the local Redwood Coast Section of the Northern California Chapter American Planning Association promotes planning at the regional level through educational programs and events; and

**WHEREAS**, the American Planning Association and its professional institute, the American Institute of Certified Planners, endorse October as National Community Planning Month as an opportunity to highlight the contributions that sound planning and plan implementation make to the quality of our communities and environment; and

**WHEREAS**, the celebration of National Community Planning Month provides an opportunity to publicly recognize the participation and dedication of local private and public sector planners, planning commissioners, and other community planners who have contributed their time and expertise to the improvement of the City of Arcata.

**NOW, THEREFORE, BE IT PROCLAIMED** by the City Council of the City of Arcata that the month of October 2022 is hereby recognized as **COMMUNITY PLANNING MONTH** in the City of Arcata in conjunction with the celebration of National Community Planning Month. The Council recognizes the many valuable contributions made by professional community and regional planners of the City of Arcata and the County of Humboldt and extends its heartfelt thanks for the continued commitment to public service by these professionals.

*Dated: October 5, 2022*

\_\_\_\_\_  
 Stacy Atkins-Salazar  
 Mayor



*Recognizing October 2022 as*  
**DOMESTIC VIOLENCE AWARENESS MONTH**

**WHEREAS**, October is annually recognized as National Domestic Violence Awareness Month and progress continues to be made toward violence prevention; and

**WHEREAS**, domestic and intimate partner violence remains a serious issue affecting *all* people regardless of age, race, ethnicity, sex, gender, socioeconomic status, literacy, sexuality, ability, religion, culture, and immigration status; and

**WHEREAS**, domestic and intimate partner violence violates an individual's dignity, security, and humanity with the systematic use of control through physical, emotional, sexual, psychological, and economic abuse; and

**WHEREAS**, children exposed to domestic violence can experience long-term consequences including difficulty at school, substance abuse, behavioral problems in adolescence, and serious health problems into adulthood; and

**WHEREAS**, Humboldt Domestic Violence Services (HDVS) has been serving Humboldt County since 1977 to continuously support all those living with or escaping abuse; and

**WHEREAS**, all survivors deserve access to culturally responsive prevention programs and services to increase their safety and self-sufficiency. HDVS enlists a diverse array of allies, agencies, and community members in supporting survivors of domestic and intimate partner violence; and

**WHEREAS**, only together can we change the health and safety of our community by challenging the societal norms that perpetuate violence.

**NOW, THEREFORE, BE IT PROCLAIMED** that the City Council of the City of Arcata recognizes the month of **October 2022** to be **DOMESTIC VIOLENCE AWARENESS MONTH**. The Council celebrates HDVS's 45 years of effort to improve community safety by breaking the cycle of domestic and intimate partner violence.

*Dated: October 5, 2022*

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*Stacy Atkins-Salazar*  
 Mayor



**City of Arcata Transportation Safety Committee  
Annual Report to Council**

Presented at the October 5, 2022 City Council Meeting

Committee Members:

Dave Ryan, Chair  
Misael Ramos-Carrasco- Vice-Chair  
Korina Johnson  
Sue Cashman  
Josh Wolf  
Wendy Ring  
Mishka Straka

Staff Liaisons:

Netra Khatri, City Engineer  
David Caisse, Assistant City Engineer  
Todd Dockweiler, Lieutenant, Arcata Police

The Arcata City Council created the Transportation Safety Committee (TSC) following the adoption of Ordinance Number 1292, effective 6/18/99. The Committee's primary function is to review all transportation matters and to make recommendations to Council, Commissions and City staff as appropriate.

Since the last Annual Report on September 21, 2021, the TSC held nine regular meetings, and one special (adjourned) meeting generally on the third Tuesday of each month. All of the meetings were conducted online via ZOOM due to Covid-19 stay-at-home guidelines. This equates to approximately 90 hours of volunteered time and 45 hours of City staff time.

Key tasks of the TSC throughout the last year included (a) receiving and responding to public written and oral communication; (b) supporting community outreach and activities; (c) reviewing Collision data and trends; (d) reviewing and tracking current and planned City projects; (e) reviewing transit reports; (f) assisting with the development of policies and updates; (g) supporting local transportation safety-related groups and activities, and (h) providing a forum for discussion of specific transportation safety and parking concerns. Below please find a summary of work completed per each task:

**Public Written and Oral Communication**

An important task of the TSC and its staff liaisons is to provide a forum for citizens to express – either through oral or written communication – concerns or issues as it relates to safety and transportation in the City. Within the past year, citizens' comments included concerns about speeding, visibility at intersections, parking constraints, pedestrian safety, and bicycle rights and responsibilities. TSC discussed – and in some cases made recommendations to the City – on strategies to alleviate issues brought to the committee, such as installing dynamic signage in speeding-prone areas. These discussions often led to safety improvements, such as initiating speed studies, installing speed limit reduction and radar feedback signs, re-striping and additional APD enforcement. When a change was not warranted, this item provided an opportunity for the TSC to help educate the public as to why. Specific items of concern:

- Request for general traffic calming improvements on Alliance and Janes Roads and vicinity
- Consideration of lack of protected crossings on Q St.

- Speeding concerns, texting and driving issues:
  - Alliance Rd.
  - Western Ave., between Sunset Ave. and Foster Ave.
  - Near entrance to Craftsman's Mall property
  - Janes and Alliance Roads
  - Spear Ave.
  - Janes Road and Ernest Way
  - 11<sup>th</sup> and Q Streets
- Request for flashing pedestrian crossing at:
  - 17<sup>th</sup> St. and Alliance Rd.

### **Community Outreach and Activities**

- Developed Public Service Announcements (PSAs) – "Lighten Up...And Be Seen At Night", "Park Your Phone" and "Eyes Up Devices Down" in English and Spanish

### **Collision Data**

- Reviewed monthly and quarterly Arcata Police Department Traffic Collision Data Reports looking for patterns, "hot spots" and/or trends.

### **Current or Planned City Projects**

- Discuss Local Road Safety Plan Project
- Discuss 8th & 9th Streets Improvement Project
- Consider Old Arcata Road Improvements Project

### **Transit Report**

- Reviewed and discussed AMRTS transit ridership, proposals for on-demand services, operations during Covid-19 related reductions, and strategies to increase ridership.

### **Development of Policies and Updates**

- Consider Resolution for Complete Streets Policy Implementation
- Consider and Review Transportation Element of the Arcata Gateway Plan
- Discuss AB43

### **Forum for Discussion of Specific Transportation and Parking Concerns**

- Receive a Presentation from Staff on Bird: eScooter and Provide Feedback
- Consider Arcata Elementary School Neighborhood Concerns
- Consider Visibility and Speed Concerns on Lower Fickle Hill Rd.
- Consider 11th St Safety Concerns
- Consider Public Comments Re: Traffic Safety Concerns - Pacific Union School, Spear Ave., etc.
- Northtown Single Lane Request (G Street)
- Consider 17th St & Alliance Rd Area Concerns

- Brought to TSC as a public comment in September. Options are being considered by staff. Pedestrian refuge on Alliance Rd. may be a possibility. Warrant for stop sign on Q St was not met. Staff will analyze the intersection with the new stop sign policy for any possibility of adding a stop. Flashing pedestrian crossing may be possible at 17th & Alliance. Staff will continue to review the options. It was suggested to paint fog lines on Q St in order to narrow the driving area.

**Special Study Session with City Council and other City Committees May 31, 2022- identified measurable tasks for next year**

- Infrastructure- assess bike racks throughout the City for proposed new locations or replacements
- Analyze opportunities to improve bike network through painting/restriping, modest low-cost improvements, shared lanes, etc.
- Identify potential trail routes consistent with connecting to the Humboldt County Regional Plan (2018) or expanding the City's proposed 2010 Bikeway Network
- Provide feedback and analysis as required for the proposed 8th/9th Street project

**Next Year's Goals:**

1. Recommend traffic calming projects/priorities
2. Continue to discuss issues related to bike/pedestrian facilities improvements
3. Continue to review and monitor new bike-share program
4. Continue community outreach events, activities and PSAs to encourage and promote transportation safety and alternative transportation
5. Continue to monitor and evaluate all major transportation and development projects, including but not limited to the Old Arcata Road Improvements Project, and the Annie and Mary Trail Connectivity Project
6. Discuss, recommend and support initiatives to increase A&MRTS ridership
7. Work with staff in developing and implementing Local Road Safety Plan (LRSP)
8. Monitor and promote use of *Street Story* web tool by City (e.g., for transportation related grant proposals) and by the general public (e.g., to pinpoint areas of concern for transportation safety in Arcata)
9. Discuss, recommend, and support redesign of plaza pedestrian crosswalks to improve safety for visually impaired pedestrians

**CITY OF ARCATA  
CITY COUNCIL MEETING**

COUNCIL CHAMBER

SEPTEMBER 07, 2022

**SPECIAL MEETING**

A special meeting of the City Council of the City of Arcata was held on the above date at 5:30 p.m. as a hybrid meeting, via teleconference utilizing Zoom Video Communications and in person, with Vice Mayor Schaefer presiding. Notice of this meeting was posted on September 2, 2022. PRESENT: Schaefer, Matthews, Stillman, Watson. ABSENT: Atkins-Salazar. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Director of Community Development Loya.

**PUBLIC COMMENT**

There was no public comment received.

**CLOSED SESSION**

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Assessor's Parcel Nos. 507-251-039 and -040. Agency Negotiator: Karen Diemer. Negotiating Party: Rob McBeth. Under Negotiation: Price and Terms.**

The Council met in closed session in the Council Chamber.

**CLOSED SESSION REPORTS**

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Assessor's Parcel Nos. 507-251-039 and -040. Agency Negotiator: Karen Diemer. Negotiating Party: Rob McBeth. Under Negotiation: Price and Terms.**

**ON MOTION BY STILLMAN, SECONDED BY WATSON, AND WITH A UNANIMOUS VOICE VOTE WITH ONE ABSENCE, THE COUNCIL VOTED TO COMPLY WITH THE SURPLUS LAND ACT AND PROVIDE AFFORDABLE HOUSING NOTICING FOR THE PARCELS, OBTAIN A REVISED APPRAISAL FOR THE PARCELS, GO THROUGH THE REQUEST FOR PROPOSALS AND LISTING OF THE PARCELS PROCESS IF AFFORDABLE HOUSING WAS NOT VIABLE, AND THEN PROCEED WITH THE DISPOSITION OF THE PARCELS. AYES: SCHAEFER, MATTHEWS, STILLMAN, WATSON. NOES: NONE. ABSENT: ATKINS-SALAZAR. ABSTENTIONS: NONE.**

**ADJOURNMENT**

The meeting was adjourned at 5:51 p.m.

**REGULAR MEETING**

A regular meeting of the City Council of the City of Arcata was held on the above date at 6:00 p.m. as a hybrid meeting, via teleconference utilizing Zoom Video Communications and in person, with Vice Mayor Schaefer presiding.

Minutes Acceptance: Minutes of Sep 7, 2022 6:00 PM (CONSENT CALENDAR)

September 7, 2022

**LAND ACKNOWLEDGMENT**

Vice Mayor Schaefer read the Land Acknowledgment acknowledging that Arcata (Goudi'ni) sat on ancestral Wiyot land.

**FLAG SALUTE**

Vice Mayor Schaefer led the Pledge of Allegiance.

**CEREMONIAL MATTERS****A. Proclamation Recognizing September 21, 2022, as International Day of Peace.**

Councilmember Matthews read the proclamation and presented it to Martha Hart, from the Women's International League for Peace and Freedom, who thanked the Council and announced a Candlelight Peace Vigil on September 21, 2022, being held via Zoom Video Communications.

**B. Proclamation in Recognition of Coastal Cleanup Month, September 2022.**

Councilmember Stillman read the proclamation and presented it to Ivy Munnerlyn, Northcoast Environmental Center, who thanked the Council for the proclamation and referred the public to the NEC's website for coastal clean-up events.

**REPORT BY COMMISSION/COMMITTEE****A. Annual Report from the Public Safety Committee.**

Fred Johansen, Chairperson of the Public Safety Committee, presented an oral version of the Committee's annual report.

Vice Mayor Schaefer invited public comment.

Gregory Daggett spoke to the problem of speeding in Arcata and said he didn't feel the vehicle laws were well enforced.

Vice Mayor Schaefer closed the public comment period.

**EARLY ORAL COMMUNICATIONS**

Vice Mayor Schaefer invited public comment.

Jacqueline Dandeneau, Executive Director of Playhouse Arts, proposed that funding be allocated for arts in Arcata in the Gateway Area Plan, and that gentrification in the arts/Creamery district be controlled.

Joanne McGarry said the community needed THC—transparency, trustworthiness and truth; humility, humaneness and honesty; caring compassion and committedness; and CBD—compassion, bravery, and decisiveness.

September 7, 2022

Gregory Daggett spoke about environmental justice in urban planning and said it seemed the Gateway Area Plan wasn't addressing that. He also recommended the Barrel District be set aside as a new location for the wastewater treatment plant.

Fred Weis announced a new portal on Arcata1.com for the City Council. He also spoke to surveys done in regard to the Gateway Area Plan.

Lisa Pelletier distributed some literature regarding the Gateway Area Plan and the Fire Department's ability to respond to fires, especially in tall buildings. She asked that a Gateway Area advisory committee be formed. She submitted written comment.

James asked the Council to honor the intent of rails with trails in the L Street corridor.

Durriya Syed, Outreach Analyst for the Department of Insurance, updated the Council on the work it had been doing on the public's behalf in regard to wildfire prevention.

Andy voiced his support for Councilmember Watson working through his mental health issues while continuing his duties for the City.

Vice Mayor Schaefer closed the public comment period.

### **CONSENT CALENDAR**

Councilmember Watson removed items D and F from the Consent Calendar for further discussion.

Vice Mayor Schaefer invited public comment. There was none. Vice Mayor Schaefer closed the public comment period.

**ON MOTION BY STILLMAN, SECONDED BY MATTHEWS, AND WITH A UNANIMOUS VOICE VOTE WITH ONE ABSENCE, THE COUNCIL ADOPTED THE CONSENT CALENDAR FOR SEPTEMBER 7, 2022, WITH THE EXCEPTION OF THE FOLLOWING ITEMS: D. DECLARE A CONTINUATION OF THE LOCAL EMERGENCY RELATED TO THE CORONAVIRUS PANDEMIC AND F. AWARD A CONTRACT IN THE AMOUNT OF \$714,975.16 TO GHD, INC., TO PROVIDE PRELIMINARY ENGINEERING AND ENVIRONMENTAL SERVICES NECESSARY FOR THE SUNSET AVENUE AND L. K. WOOD BOULEVARD IMPROVEMENTS PROJECT; AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL APPLICABLE DOCUMENTS. AYES: SCHAEFER, MATTHEWS, STILLMAN, WATSON. NOES: NONE. ABSENT: ATKINS-SALAZAR. ABSTENTIONS: NONE.**

- A. Approve the City Council Minutes for the meeting of August 3, 2022.**
- B. Approve the City Council Minutes for the Meeting of August 17, 2022.**
- C. Bi-Weekly Report on Disbursements.**
- D. Item VIII-D was moved to Items Removed from Consent Calendar.**

Minutes Acceptance: Minutes of Sep 7, 2022 6:00 PM (CONSENT CALENDAR)

September 7, 2022

- E. **Adopt Resolution No. 223-17, A Resolution of the City Council of the City of Arcata Amending the Class and Pay Resolution—International Union of Operating Engineers Local No. 3 [to Reflect New Transit Bus Driver Position and Adjustment to Maintenance Worker Salary Ranges].**
- F. **Item VIII-F was moved to Items Removed from Consent Calendar.**
- G. **Approve the Purchase of One 2023 Ford Police Interceptor and One 2023 Ford F-150 Lightning Truck for Parks, and Award Contract to National Auto Fleet Group in the Amount of \$111,854.64, Including Tax; Allocate an Additional \$4,649.17 from 771 Central Garage Fund to Cover Purchase Costs; and Authorize the City Manager to Execute All Applicable Documents.**
- H. **Approve an Increase to the Contract Price for the City's Purchase Agreement with Golden Harvest, Inc., for Fabricated Slide Gates and Actuators in the Amount of \$10,339, to Account for Changes to the Slide Gates' Specifications, Per the Design Engineer's Recommendation.**

#### **ITEMS REMOVED FROM CONSENT CALENDAR**

- D. **Declare a Continuation of the Local Emergency Related to the Coronavirus Pandemic.**

Councilmember Watson noted that during the pandemic, meetings had been accessible to the public online. He commented on the Council's study session with the Planning Commission not having been broadcast or made available to the public for attendance online.

Vice Mayor Schaefer invited public comment. None was received. Vice Mayor Schaefer closed the public comment period.

**ON MOTION BY STILLMAN, SECONDED BY WATSON, AND WITH A UNANIMOUS VOICE VOTE WITH ONE ABSENCE, THE COUNCIL DECLARED A CONTINUATION OF THE LOCAL EMERGENCY RELATED TO THE CORONAVIRUS PANDEMIC. AYES: SCHAEFER, MATTHEWS, STILLMAN, WATSON. NOES: NONE. ABSENT: ATKINS-SALAZAR. ABSTENTIONS: NONE.**

- F. **Award a Contract in the Amount of \$714,975.16 to GHD, Inc., to Provide Preliminary Engineering and Environmental Services Necessary for the Sunset Avenue and L. K. Wood Boulevard Improvements Project; and Authorize the City Manager to Execute all Applicable Documents.**

On inquiry by Councilmember Watson, City Engineer Khatri explained that this contract was for project approval and environmental documents for the L. K. Wood Boulevard/Sunset Avenue and Sunset Avenue/G and H Streets intersections, and that drawings would be completed later in the project.

**ON MOTION BY WATSON, SECONDED BY MATTHEWS, AND WITH A UNANIMOUS VOICE VOTE, THE COUNCIL AWARDED A CONTRACT IN THE**

Minutes Acceptance: Minutes of Sep 7, 2022 6:00 PM (CONSENT CALENDAR)

September 7, 2022

**AMOUNT OF \$714,975.16 TO GHD, INC., TO PROVIDE PRELIMINARY ENGINEERING AND ENVIRONMENTAL DOCUMENTS NECESSARY FOR THE SUNSET AVENUE AND L. K. WOOD BOULEVARD IMPROVEMENTS PROJECT; AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL APPLICABLE DOCUMENTS. AYES: SCHAEFER, MATTHEWS, STILLMAN, WATSON. NOES: NONE. ABSENT: ATKINS-SALAZAR. ABSTENTIONS: NONE.**

**OLD BUSINESS**

**A. Review and Make a Determination on the Request from Arcane Artists Inc. to Continue to Extend the Ending Time Past 10:00 P.M. for The 2022 Arcane Summer Fundraiser Series.**

City Manager Diemer reminded the Council that Arcane Artists had proposed a series of summer concerts to support local artists, all to take place on N Street. After the first event, the Council gave approval for the events to play amplified sound until midnight, and then after midnight hold a silent disco until 1:00 a.m. She said for the second concert the music ended at 11:30 and there were two noise complaints. At the third concert the music ended at midnight, and there were eight noise complaints. She said Councilmembers requested this item be brought back for consideration.

Joe Ostini gave a summary report of the past two events. He received two complaints directly from neighbors during the second event and the music was turned down at 10:45 p.m. He said there were 80 local artists supported by these events and they had created 24 part-time jobs and four full-time jobs for these events. He said they had noise monitoring at 8th Street and 10th Street. His suggestion for the music complaints would be to remove the silent disco portion in order to allow the events to end earlier. He said they partnered with the JAM for an after-party which gave people a free event to attend thereby encouraging no loitering or excess noise in the area of the concert. He also suggested turning down the music 20 percent from 11:30 to midnight and giving a last call at 11:30 p.m. to deter late-night gathering in the area. He said there was nothing this unique to this community and they were asking for the ability to continue the concerts.

Vice Mayor Schaefer invited public comment.

Catherine Wachel, a resident of the Greenview neighborhood, asked that amplified sound not be allowed beyond 10:00 p.m. for these events. She submitted a letter signed by residents of the neighborhood.

Joanne McGarry, a resident of the neighborhood where the concerts happened, she said her main concern was the after-party noise on the streets. She said she appreciated that the concert promoters were very responsive to the neighborhood.

Gregory Daggett recommended these type of events take place in business districts so as not to conflict with residential areas.

Minutes Acceptance: Minutes of Sep 7, 2022 6:00 PM (CONSENT CALENDAR)



September 7, 2022

An unidentified member of the audience reminded the Council that it was important to take care of the artists in the community, and said these concerts were a way to do that.

An unidentified member of the audience who lived near the concerts, said her family of five, including a one-year-old baby, had no trouble sleeping through the concerts.

A community member and member of Arcane Artists noted how important it was that the events supported the local artists and took care of them. She said it was worth reaching a compromise for the neighborhood and the artists.

Jonah, an employee of Arcane Artists, said they understood that compromises had to be made. He said they wanted people to enjoy themselves without inconveniencing the neighborhood.

Patricia asked if the events would go past midnight to 1:30 a.m. She reported the music on August 5 was not that bad at her house, however the event on August 27 had a very prevalent bass. She said the after-party on August 27, with everyone dispersing, was very disruptive to the residents.

Vice Mayor Schaefer closed the public comment period.

**STILLMAN MOVED THAT THE MUSIC BE DISCONTINUED AT 11:00 P.M.**

**WATSON MOVED TO AMEND THE MOTION THAT THE CITY SEND A LETTER TO THE NEIGHBORS EXPLAINING ITS JUSTIFICATION FOR ALLOWING THE MUSIC TO CONTINUE PAST 10:00 P.M. AND NOT SUPPORTING AN EARLIER TIME.**

**MATTHEWS SECONDED THE ORIGINAL MOTION.**

**STILLMAN DID NOT ACCEPT THE AMENDMENT TO THE MOTION PUT FORTH BY WATSON.**

**MATTHEWS AMENDED THE MOTION TO HAVE FUTURE EVENTS REVIEWED BY THE MAYOR, VICE MAYOR AND CITY MANAGER. STILLMAN ACCEPTED THE AMENDMENT TO THE MOTION.**

**THE MOTION PASSED ON A THREE-TO-ONE VOICE VOTE. AYES: SCHAEFER, MATTHEWS, STILLMAN. NOES: WATSON. ABSENT: ATKINS-SALAZAR. ABSTENTIONS: NONE.**

**RECESS:** The Council recessed from 8:24 to 8:32 p.m.

Minutes Acceptance: Minutes of Sep 7, 2022 6:00 PM (CONSENT CALENDAR)

September 7, 2022

**NEW BUSINESS****A. Introduce Ordinance No. 1558, Amending Conflict of Interest Code, Title II (Administration), Chapter 8 (Conflict of Interest), Article 2 (City Employees), Sections 2915(a).**

City Attorney Diamond explained that every two years the City Council had to review its Conflict of Interest Code, and this year the change to the Code removed Information Technology Manager and inserted Deputy Director Information Technology.

**STILLMAN MOVED AND MATTHEWS SECONDED TO INTRODUCE ORDINANCE NO. 1558 AMENDING CONFLICT OF INTEREST CODE, TITLE II— ADMINISTRATION, CHAPTER 8—CONFLICT OF INTEREST, ARTICLE 2—CITY EMPLOYEES, SECTION 2915(a), WAIVE READING OF THE TEXT AND CONSENT TO READ BY TITLE ONLY.**

Vice Mayor Schaefer invited public comment. None was received. Vice Mayor Schaefer closed the public comment period.

**THE MOTION PASSED ON A THREE-TO-ONE VOICE VOTE. AYES: SCHAEFER, MATTHEWS, STILLMAN. NOES: WATSON. ABSENT: ATKINS-SALAZAR. ABSTENTIONS: NONE.****ORAL AND WRITTEN COMMUNICATIONS**

Vice Mayor Schaefer invited public comment.

Joanne McGarry said, regarding the discussions about expansion of development in areas close to the bay, it would be good to have Aldaron Laird give a presentation on sea level rise.

A resident of the Creamery District, and speaking to the Gateway Area Plan, asked the City to consider not building apartment buildings more than two stories high or having them within the surrounding blocks of pre-existing Arcata residences.

Fred Weis spoke in favor of L Street being designated a linear park within the Gateway Area Plan.

Jim Becker asked the Council to consider designating L Street as a linear park within the Gateway Area Plan.

Vice Mayor Schaefer closed the public comment period.

**COUNCIL AND STAFF REPORTS**

Councilmember Stillman said she was so happy that the mural on the building at 10th and H Streets was being completed on the side and front of the building. She read a statement stating she had received an opinion from the Fair Political Practices Commission stating the Political Reform Act prohibited her from participating in the decision-making on the Gateway Area Plan.

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September 7, 2022

However, she would still be allowed to use social media to discuss the Plan with members of the community.

Vice Mayor Schaefer reported on the success of the I Block Party. She also reported that Arcata Main Street was getting close to appointing a new Executive Director.

Councilmember Watson advocated for the Public Safety Committee's recommendations being on a future agenda for discussion. Vice Mayor Schaefer agreed.

### **ADJOURNMENT**

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Bridget Dory  
City Clerk

Minutes Acceptance: Minutes of Sep 7, 2022 6:00 PM (CONSENT CALENDAR)

**CITY OF ARCATA  
SPECIAL AND REGULAR CITY COUNCIL MEETING  
WITH SUCCESSOR AGENCY**

COUNCIL CHAMBER

SEPTEMBER 21, 2022

**SPECIAL MEETING**

A special meeting of the City Council of the City of Arcata was held on the above date at 5:27 p.m. as a hybrid meeting, via teleconference utilizing Zoom Video Communications and in person, with Mayor Atkins-Salazar presiding. Notice of this meeting was posted on September 16, 2022. PRESENT: Atkins-Salazar, Schaefer, Matthews, Stillman, Watson. ABSENT: None. STAFF PRESENT: City Manager Diemer, Assistant City Manager/Personnel Director Demello, Director of Community Development Loya, Deputy Director Information Technology Savage, City Clerk Dory.

**PUBLIC COMMENT**

There was no public comment.

**COMMITTEE INTERVIEWS**

- A. Interview Candidates for One Vacancy on the Parks and Recreation Committee for a Term Expiring March 31, 2026; One Vacancy on the Transportation Safety Committee for a Term Expiring March 31, 2024; and One Vacancy on the Wetlands and Creeks Committee for a Term Expiring March 31, 2026.**

The Council interviewed Travis Gall for a seat on the Parks and Recreation Committee, Genevieve Serna for a seat on the Transportation Safety Committee, and Justin Hawkins for a seat on the Wetlands and Creeks Committee.

**ADJOURNMENT**

The meeting was adjourned at 5:44 p.m.

**REGULAR MEETING**

A regular meeting of the City Council of the City of Arcata was held on the above date at 6:00 p.m. as a hybrid meeting, via teleconference utilizing Zoom Video Communications and in person, with Mayor Atkins-Salazar presiding. Notice of this meeting was posted on September 16, 2022. PRESENT: Atkins-Salazar, Schaefer, Matthews, Stillman, Watson. ABSENT: None. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Director of Community Development Loya, Director of Environmental Services Sinkhorn, City Engineer Khatri, Deputy Director Information Technology Savage, City Clerk Dory.

**LAND ACKNOWLEDGMENT**

Mayor Atkins-Salazar read the land acknowledgment.

**FLAG SALUTE**

Mayor Atkins-Salazar led the Pledge of Allegiance.

Minutes Acceptance: Minutes of Sep 21, 2022 6:00 PM (CONSENT CALENDAR)

September 21, 2022

**CEREMONIAL MATTERS****A. Proclamation in Honor of the North Coast Stand Down, September 29-October 1, 2022.**

Councilmember Watson read the proclamation and presented it to Ann Poole who thanked the Council and described the services available at the Stand Down.

**B. Proclamation in Recognition of International Walk to School Day, October 5, 2022.**

Councilmember Schaefer read the proclamation and presented it to Carrie Hurst from Arcata Elementary School District, who accepted the recognition and said students from both Arcata Elementary School and Sunny Brae Middle School would be walking from the Murphy's Markets to school that day.

**EARLY ORAL COMMUNICATIONS**

Mayor Atkins-Salazar opened Early Oral Communications.

Sandra Strawbridge expressed her appreciation for the A&MRTS drivers and gave her thanks for them working during the pandemic.

Joanne McGarry said people needed to do so much more to make a difference on this planet in regard to the climate.

Fred Weis advocated for L Street becoming a linear park.

James Becker said he supported the Transportation Safety Committee's recommendation for L Street to become a linear park.

Mayor Atkins-Salazar closed Early Oral Communications.

**MEETING OF THE SUCCESSOR AGENCY TO THE ARCATA COMMUNITY DEVELOPMENT AGENCY**

A meeting of the Successor Agency to the Arcata Community Development Agency was held on September 21, 2022, at 6:20 p.m. as a hybrid meeting, via teleconference utilizing Zoom Video Communications and in person, with Board Chairperson Atkins-Salazar presiding. Notice of this meeting was posted on September 16, 2022. PRESENT: Atkins-Salazar, Schaefer, Matthews, Stillman, Watson. ABSENT: None. STAFF PRESENT: Executive Director Diemer, Agency Attorney Diamond, Director of Community Development Loya, Secretary/Clerk Dory.

**SUCCESSOR AGENCY CONSENT CALENDAR**

**STILLMAN MOVED AND SCHAEFER SECONDED TO ADOPT THE CONSENT CALENDAR FOR SEPTEMBER 21, 2022, AS PRESENTED.**

Board Chairperson Atkins-Salazar invited public comment.

Minutes Acceptance: Minutes of Sep 21, 2022 6:00 PM (CONSENT CALENDAR)

September 21, 2022

Joanne McGarry asked who the secretary of the Agency was, to which City Clerk Dory responded that she was the Secretary/Clerk to the Agency.

Board Chairperson Atkins-Salazar closed the public comment period.

**THE MOTION PASSED ON A UNANIMOUS VOICE VOTE. AYES: ATKINS-SALAZAR, SCHAEFER, MATTHEWS, STILLMAN, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

1. **Direct the Secretary and Clerk of the Board to File the 2022 Notice of Biennial Review, Conflict of Interest Code, with the City of Arcata Stating that No Amendment is Required.**

### **ADJOURNMENT**

The meeting was adjourned at 6:22 p.m. and the City Council meeting resumed.

### **CONSENT CALENDAR**

**STILLMAN MOVED AND SCHAEFER SECONDED TO ADOPT THE CONSENT CALENDAR FOR SEPTEMBER 21, 2022, AS PRESENTED.**

Mayor Atkins-Salazar invited public comment. None was received. Mayor Atkins-Salazar closed the public comment period.

**THE MOTION PASSED ON A UNANIMOUS VOICE VOTE. AYES: ATKINS-SALAZAR, SCHAEFER, MATTHEWS, STILLMAN, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

- A. **Bi-Weekly Report on Disbursements.**
- B. **Adopt Ordinance No. 1558, An Ordinance of the City Council of the City of Arcata Amending the Arcata Municipal Code, Conflict of Interest Code, Title II (Administration), Chapter 8 (Conflict of Interest), Article 2 (City Employees); Waive Reading of the Text and Consent to Read by Title Alone.**
- C. **Reappoint Fred Johansen and Justin Fox to the Public Safety Committee for Three-Year Terms Ending September 30, 2025.**
- D. **Reappoint Gwelen Paliaga and James Zoellick to the Energy Committee for Three-Year Terms Ending September 30, 2025.**
- E. **Reappoint Robin Hashem and Jeff Knapp to the Transactions and Use Tax Oversight Committee for Four-Year Terms Ending September 30, 2026.**
- F. **Reappoint Amanda Hickey to the Economic Development Committee, and Jill MacDonald to the Historic Landmarks Committee for Three-Year Terms Ending September 30, 2025.**

Minutes Acceptance: Minutes of Sep 21, 2022 6:00 PM (CONSENT CALENDAR)

September 21, 2022

**NEW BUSINESS**

- A. Appoint One New Member to the Parks and Recreation Committee for a Term Expiring March 31, 2026; One New Member to the Transportation Safety Committee for a Term Expiring March 31, 2024; and One New Member to the Wetlands and Creeks Committee for a Term Expiring March 31, 2026.**

**MATTHEWS MOVED AND STILLMAN SECONDED TO APPOINT TRAVIS GALL TO THE PARKS AND RECREATION COMMITTEE FOR A TERM EXPIRING MARCH 31, 2026; GENEVIEVE SERNA TO THE TRANSPORTATION SAFETY COMMITTEE FOR A TERM EXPIRING MARCH 31, 2024; AND JUSTIN HAWKINS TO THE WETLANDS & CREEKS COMMITTEE FOR A TERM EXPIRING MARCH 31, 2026.**

Mayor Atkins-Salazar invited public comment. None was received. Mayor Atkins-Salazar closed the public comment period.

**THE MOTION PASSED ON A UNANIMOUS VOICE VOTE. AYES: ATKINS-SALAZAR, SCHAEFER, MATTHEWS, STILLMAN, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

- B. Public Scoping Hearing for Potential Projects for Funding under the Permanent Local Housing Allocation Program 2022 Notice of Funds Availability.**

Director of Community Development Loya explained that this was a public scoping hearing for the Permanent Local Housing Allocation funding the City would like to apply for. He said there was approximately \$1 million allocated to Arcata and the City had to gather public input on potential uses for the funds. He noted the list of eligible activities in the Council packet. He said the next step for the Council would be to authorize the application for those funds. He explained that this was non-competitive funding and Arcata just needed to decide on the projects it wanted to fund.

**STILLMAN MOVED AND SCHAEFER SECONDED TO DIRECT STAFF TO NOTICE A HEARING IN THE FUTURE TO AUTHORIZE SUBMISSION OF THE CITY'S PLHA PROGRAM APPLICATION.**

Mayor Atkins-Salazar opened the public hearing. None was received. Mayor Atkins-Salazar closed the public comment period.

**AYES: ATKINS-SALAZAR, SCHAEFER, MATTHEWS, STILLMAN, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

**ORAL AND WRITTEN COMMUNICATIONS**

Mayor Atkins-Salazar invited public comment.

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September 21, 2022

Joanne McGarry said she had read that the Redwood Coast Energy Authority was considering signing a contract with Diablo Canyon Nuclear Power Plant and she was very concerned about this. She encouraged the community to restrict its energy use.

Fred Weis said he felt the City was eligible for two percent of the \$458 million Cal Poly Humboldt received to be used to fund the City's Community Development Department so that the City could draft the best form-based code possible. He noted the City had no legal rights to build L Street and that needed to be resolved.

Patricia said the Rails-with-Trails Feasibility Study of 2010 showed drawings of a park on L Street. She declared that L Street should be a linear park.

Matthew Marshall, Executive Director, Redwood Coast Energy Authority, responded that the Authority was not intending to purchase power from Diablo Canyon and the Board of Directors had developed a policy to never procure nuclear power.

Mayor Atkins-Salazar closed Oral and Written Communications.

### **COUNCIL AND STAFF REPORTS**

City Manager Diemer reported that three members of the Arcata Police Department had recently been honored. Hollie Ratcliffe received recognition from the regional Humboldt County Mothers Against Drunk Driving for her work on DUI outreach and education, and enforcement. She said that the Humboldt County Critical Intervention Services Team, was recognized at the National Conference in Philadelphia, and Arcata's Evan Beechel was recognized for his Community Response Unit outreach, first response to mental health crises, continuing to educate additional staff in the Police Department, and working with the Mobile Intervention Services Team.

Councilmember Matthews reported on a recent ride-along with Sgt. Scown of the Arcata Police Department.

Councilmember Schaefer said the I Street Block Party was wildly successful.

On inquiry by Councilmember Watson, City Manager Diemer said that past weekend there was a substantial fight in front of The Jam and two individuals were taken to the hospital. She said it was an active investigation.

On inquiry by Councilmember Matthews, City Manager Diemer said the City hired six people as Community Ambassadors who were just beginning training.

Mayor Atkins-Salazar reported on her attendance at a meeting of the Homelessness Services Committee, which took place at the Safe Parking Program site, and she said the Program was very successful.



September 21, 2022

**ADJOURNMENT**

The meeting was adjourned at 6:52 p.m.

Respectfully submitted,

Bridget Dory  
City Clerk

Minutes Acceptance: Minutes of Sep 21, 2022 6:00 PM (CONSENT CALENDAR)



# STAFF REPORT – CITY COUNCIL MEETING

October 05, 2022

**TO:** Honorable Mayor and City Council Members

**FROM:** Ondrea Starzhevskiy, Finance Director

**PREPARER:** Ondrea Starzhevskiy, Finance Director

**DATE:** September 28, 2022

**TITLE:** **Bi-Weekly Report on Disbursements.**

## RECOMMENDATION:

It is recommended that the Council approve the disbursements listing for the period September 10, 2022, to September 23, 2022.

## INTRODUCTION:

Pursuant to Section 37208 of the California Government Code, checks drawn in payment of demands certified by the City Finance Director as conforming to the authorized expenditures set forth in the City Council adopted budget need not be audited by the City Council prior to payment, but may be presented to the City Council at the first meeting after delivery.

## DISCUSSION:

The attached Disbursements Listing lists the checks and electronic payments that have been paid for the period identified above. The Finance Director certifies that the disbursements were drawn in payment of demands conforming to the adopted budget and that these demands are being presented to the City Council at its first meeting after the delivery of the checks and electronic payments.

## BUDGET/FISCAL IMPACT:

The disbursements presented were drawn in payment of demands included within the adopted budget.

## ATTACHMENTS:

A. Cash Disbursements Report 091022-092322 (PDF)

City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
310461	PAYROLL	Payroll	MISC	812.16	9/9/2022
310462	PAYROLL	Payroll	MISC	317.75	9/9/2022
310463	PAYROLL	Payroll	MISC	526.62	9/9/2022
310464	PAYROLL	Payroll	MISC	139.62	9/9/2022
310465	PAYROLL	Payroll	MISC	27,456.23	9/9/2022
310466	PAYROLL	Payroll	MISC	269.53	9/9/2022
310467	PAYROLL	Payroll	MISC	699.84	9/9/2022
310468	PAYROLL	Payroll	MISC	1,509.46	9/9/2022
310469	PAYROLL	Payroll	MISC	652.21	9/9/2022
310470	PAYROLL	Payroll	MISC	871.99	9/9/2022
310471	PAYROLL	Payroll	MISC	837.05	9/9/2022
310472	PAYROLL	Payroll	MISC	1,513.28	9/9/2022
310473	PAYROLL	Payroll	MISC	88.69	9/9/2022
310474	PAYROLL	Payroll	MISC	679.25	9/9/2022
310475	PAYROLL	Payroll	MISC	118.22	9/9/2022
310476	PAYROLL	Payroll	MISC	76.43	9/9/2022
310477	PAYROLL	Payroll	MISC	115.50	9/9/2022
310478	PAYROLL	Payroll	MISC	124.90	9/9/2022
310479	PAYROLL	Payroll	MISC	30.76	9/9/2022
310480	PAYROLL	Payroll	MISC	3,500.00	9/9/2022
	ACH PAYROLL	Payroll Direct Deposits	MISC	239,080.92	9/9/2022
247586	USBAN005	US Bank	101-50-61-55400	416.06	9/13/2022
247586	USBAN005	US Bank	771-50-57-54700	65.03	9/13/2022
247586	USBAN005	US Bank	661-50-63-54300	26.03	9/13/2022
247586	USBAN005	US Bank	101-60-89-54200	510.26	9/13/2022
247586	USBAN005	US Bank	101-40-21-51500	126.71	9/13/2022
247586	USBAN005	US Bank	775-10-71-51770	391.25	9/13/2022
247586	USBAN005	US Bank	775-10-71-51790	299.95	9/13/2022
247586	USBAN005	US Bank	771-50-57-57800	23.17	9/13/2022
247586	USBAN005	US Bank	101-30-31-51770	20.00	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	427.00	9/13/2022
247586	USBAN005	US Bank	771-50-57-51770	350.00	9/13/2022
247586	USBAN005	US Bank	775-10-71-55300	229.98	9/13/2022
247586	USBAN005	US Bank	661-60-64-53300	14.73	9/13/2022
247586	USBAN005	US Bank	101-00-00-22105	70.12	9/13/2022
247586	USBAN005	US Bank	101-50-85-53600	19.88	9/13/2022
247586	USBAN005	US Bank	663-50-91-54300	11.73	9/13/2022
247586	USBAN005	US Bank	101-40-21-51500	(126.71)	9/13/2022
247586	USBAN005	US Bank	101-50-41-51770	141.03	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	435.80	9/13/2022
247586	USBAN005	US Bank	101-30-31-51400	289.00	9/13/2022
247586	USBAN005	US Bank	662-50-65-54300	140.94	9/13/2022
247586	USBAN005	US Bank	101-20-07-54200	193.43	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	66.21	9/13/2022
247586	USBAN005	US Bank	101-40-21-51500	59.80	9/13/2022
247586	USBAN005	US Bank	101-50-85-53600	(32.77)	9/13/2022
247586	USBAN005	US Bank	662-60-67-54200	73.73	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	40.20	9/13/2022
247586	USBAN005	US Bank	590-00-00-24090	144.00	9/13/2022
247586	USBAN005	US Bank	101-40-21-51500	70.68	9/13/2022
247586	USBAN005	US Bank	662-50-65-54300	307.46	9/13/2022
247586	USBAN005	US Bank	207-50-45-54200	19.50	9/13/2022
247586	USBAN005	US Bank	101-50-85-53600	48.80	9/13/2022
247586	USBAN005	US Bank	771-50-57-54400	488.97	9/13/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247586	USBAN005	US Bank	661-50-63-55300	125.81	9/13/2022
247586	USBAN005	US Bank	775-10-71-51790	41.34	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	81.90	9/13/2022
247586	USBAN005	US Bank	771-50-57-54700	97.17	9/13/2022
247586	USBAN005	US Bank	101-60-89-53300	14.85	9/13/2022
247586	USBAN005	US Bank	101-40-21-51200	59.00	9/13/2022
247586	USBAN005	US Bank	662-60-67-51500	37.70	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	16.26	9/13/2022
247586	USBAN005	US Bank	775-10-71-57800	139.82	9/13/2022
247586	USBAN005	US Bank	101-20-07-53300	16.26	9/13/2022
247586	USBAN005	US Bank	661-60-64-53600	17.35	9/13/2022
247586	USBAN005	US Bank	101-60-89-51300	20.00	9/13/2022
247586	USBAN005	US Bank	662-50-65-54200	81.56	9/13/2022
247586	USBAN005	US Bank	775-10-71-51200	49.76	9/13/2022
247586	USBAN005	US Bank	209-50-55-54300	31.40	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	86.93	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	17.90	9/13/2022
247586	USBAN005	US Bank	212-30-11-55400	9.19	9/13/2022
247586	USBAN005	US Bank	662-50-65-54200	87.79	9/13/2022
247586	USBAN005	US Bank	775-10-71-57800	71.57	9/13/2022
247586	USBAN005	US Bank	661-50-63-51600	399.00	9/13/2022
247586	USBAN005	US Bank	775-10-71-51200	14.09	9/13/2022
247586	USBAN005	US Bank	101-40-21-54200	41.59	9/13/2022
247586	USBAN005	US Bank	666-60-51-53300	37.98	9/13/2022
247586	USBAN005	US Bank	775-10-71-55300	195.70	9/13/2022
247586	USBAN005	US Bank	662-60-67-54200	9.63	9/13/2022
247586	USBAN005	US Bank	661-50-63-54200	93.20	9/13/2022
247586	USBAN005	US Bank	775-10-71-51200	32.54	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	91.81	9/13/2022
247586	USBAN005	US Bank	771-50-57-54400	15.15	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	26.36	9/13/2022
247586	USBAN005	US Bank	101-10-15-51300	225.00	9/13/2022
247586	USBAN005	US Bank	101-20-07-53110	33.85	9/13/2022
247586	USBAN005	US Bank	212-30-11-55400	50.00	9/13/2022
247586	USBAN005	US Bank	101-00-00-22105	10.04	9/13/2022
247586	USBAN005	US Bank	661-50-63-51600	305.00	9/13/2022
247586	USBAN005	US Bank	590-00-00-24090	542.50	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	81.04	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	67.90	9/13/2022
247586	USBAN005	US Bank	207-50-45-57600	27.50	9/13/2022
247586	USBAN005	US Bank	661-50-63-54200	108.44	9/13/2022
247586	USBAN005	US Bank	771-50-57-55300	34.90	9/13/2022
247586	USBAN005	US Bank	209-50-55-54300	32.52	9/13/2022
247586	USBAN005	US Bank	775-10-71-55300	406.83	9/13/2022
247586	USBAN005	US Bank	101-40-21-51500	88.36	9/13/2022
247586	USBAN005	US Bank	101-40-21-53100	8.95	9/13/2022
247586	USBAN005	US Bank	101-40-21-51500	12.50	9/13/2022
247586	USBAN005	US Bank	101-50-85-51770	59.00	9/13/2022
247586	USBAN005	US Bank	775-10-71-57800	102.98	9/13/2022
247586	USBAN005	US Bank	207-50-45-57600	69.31	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	5.99	9/13/2022
247586	USBAN005	US Bank	662-60-67-51500	96.41	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	92.74	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	79.62	9/13/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247586	USBAN005	US Bank	207-50-45-54300	70.99	9/13/2022
247586	USBAN005	US Bank	771-50-57-54400	45.50	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	10.98	9/13/2022
247586	USBAN005	US Bank	662-60-67-51600	202.00	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	57.19	9/13/2022
247586	USBAN005	US Bank	771-50-57-54400	104.99	9/13/2022
247586	USBAN005	US Bank	101-40-21-51600	411.86	9/13/2022
247586	USBAN005	US Bank	101-20-07-54200	6.00	9/13/2022
247586	USBAN005	US Bank	775-10-71-55300	75.79	9/13/2022
247586	USBAN005	US Bank	775-10-71-51200	173.57	9/13/2022
247586	USBAN005	US Bank	101-50-85-53600	94.41	9/13/2022
247586	USBAN005	US Bank	662-60-67-54200	46.64	9/13/2022
247586	USBAN005	US Bank	662-60-67-54200	80.62	9/13/2022
247586	USBAN005	US Bank	662-60-67-51500	22.17	9/13/2022
247586	USBAN005	US Bank	775-10-71-57800	1,043.23	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	107.52	9/13/2022
247586	USBAN005	US Bank	101-60-89-54200	721.96	9/13/2022
247586	USBAN005	US Bank	205-60-87-54200	6.50	9/13/2022
247586	USBAN005	US Bank	101-40-21-53100	9.45	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	22.24	9/13/2022
247586	USBAN005	US Bank	101-40-21-54200	14.09	9/13/2022
247586	USBAN005	US Bank	101-00-00-22105	50.00	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	94.56	9/13/2022
247586	USBAN005	US Bank	771-50-57-54400	1,428.25	9/13/2022
247586	USBAN005	US Bank	101-40-21-54200	12.67	9/13/2022
247586	USBAN005	US Bank	224-40-21-54200	14.25	9/13/2022
247586	USBAN005	US Bank	775-10-71-51200	28.20	9/13/2022
247586	USBAN005	US Bank	771-50-57-54400	15.72	9/13/2022
247586	USBAN005	US Bank	661-50-63-51500	106.45	9/13/2022
247586	USBAN005	US Bank	101-50-81-55400	129.01	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	57.84	9/13/2022
247586	USBAN005	US Bank	662-60-67-55300	38.60	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	107.52	9/13/2022
247586	USBAN005	US Bank	101-40-21-51200	416.77	9/13/2022
247586	USBAN005	US Bank	662-60-67-55300	9.22	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	34.64	9/13/2022
247586	USBAN005	US Bank	101-10-03-53300	271.25	9/13/2022
247586	USBAN005	US Bank	207-50-45-54300	24.90	9/13/2022
247586	USBAN005	US Bank	775-10-71-55300	42.30	9/13/2022
247586	USBAN005	US Bank	101-40-21-54200	8.67	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	37.69	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	57.13	9/13/2022
247586	USBAN005	US Bank	661-60-64-55300	33.09	9/13/2022
247586	USBAN005	US Bank	101-20-07-57800	461.13	9/13/2022
247586	USBAN005	US Bank	661-50-63-54300	41.16	9/13/2022
247586	USBAN005	US Bank	101-50-61-55400	373.67	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	210.53	9/13/2022
247586	USBAN005	US Bank	661-50-63-53300	0.99	9/13/2022
247586	USBAN005	US Bank	661-50-63-55300	219.17	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	102.00	9/13/2022
247586	USBAN005	US Bank	101-40-21-54200	3.66	9/13/2022
247586	USBAN005	US Bank	205-60-87-54200	46.55	9/13/2022
247586	USBAN005	US Bank	775-10-71-51210	60.00	9/13/2022
247586	USBAN005	US Bank	101-10-03-53300	49.87	9/13/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247586	USBAN005	US Bank	771-50-57-54400	288.86	9/13/2022
247586	USBAN005	US Bank	662-60-67-54200	93.29	9/13/2022
247586	USBAN005	US Bank	662-60-67-51600	302.00	9/13/2022
247586	USBAN005	US Bank	101-50-81-55400	954.64	9/13/2022
247586	USBAN005	US Bank	662-60-67-57800	342.00	9/13/2022
247586	USBAN005	US Bank	771-50-57-54700	49.35	9/13/2022
247586	USBAN005	US Bank	101-40-21-54200	8.13	9/13/2022
247586	USBAN005	US Bank	101-20-07-53110	28.48	9/13/2022
247586	USBAN005	US Bank	207-50-45-51770	91.00	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	172.65	9/13/2022
247586	USBAN005	US Bank	662-60-67-53600	7.15	9/13/2022
247586	USBAN005	US Bank	775-10-71-51200	20.57	9/13/2022
247586	USBAN005	US Bank	101-40-21-51200	59.00	9/13/2022
247586	USBAN005	US Bank	661-50-63-54300	49.40	9/13/2022
247586	USBAN005	US Bank	207-50-45-54200	9.75	9/13/2022
247586	USBAN005	US Bank	207-50-45-51500	65.09	9/13/2022
247586	USBAN005	US Bank	590-00-00-24090	976.50	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	42.29	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	19.41	9/13/2022
247586	USBAN005	US Bank	775-10-71-55300	276.66	9/13/2022
247586	USBAN005	US Bank	661-50-63-54300	8.67	9/13/2022
247586	USBAN005	US Bank	101-10-03-51770	204.89	9/13/2022
247586	USBAN005	US Bank	101-40-21-54200	108.79	9/13/2022
247586	USBAN005	US Bank	661-50-63-55300	142.35	9/13/2022
247586	USBAN005	US Bank	207-50-45-54300	98.47	9/13/2022
247586	USBAN005	US Bank	775-10-71-55300	6.50	9/13/2022
247586	USBAN005	US Bank	209-50-55-54200	54.43	9/13/2022
247586	USBAN005	US Bank	663-50-91-54300	24.49	9/13/2022
247586	USBAN005	US Bank	662-60-67-51500	0.99	9/13/2022
247586	USBAN005	US Bank	101-40-21-54200	18.79	9/13/2022
247586	USBAN005	US Bank	101-50-85-53600	199.53	9/13/2022
247586	USBAN005	US Bank	101-40-21-51400	72.10	9/13/2022
247586	USBAN005	US Bank	662-60-67-51500	23.68	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	3.03	9/13/2022
247586	USBAN005	US Bank	775-10-71-57800	18.34	9/13/2022
247586	USBAN005	US Bank	101-30-31-51400	79.00	9/13/2022
247586	USBAN005	US Bank	662-60-67-55300	5.38	9/13/2022
247586	USBAN005	US Bank	662-60-67-55300	51.74	9/13/2022
247586	USBAN005	US Bank	771-50-57-55100	1,340.88	9/13/2022
247586	USBAN005	US Bank	101-60-79-55300	100.00	9/13/2022
247586	USBAN005	US Bank	662-60-67-53500	27.33	9/13/2022
247587	UB*05442	Bishop Jolene	661-00-00-21000	55.10	9/16/2022
247588	UB*05444	Huitema Justin	661-00-00-21000	57.11	9/16/2022
247589	UB*05441	Norman Clarissa	661-00-00-21000	18.52	9/16/2022
247590	UB*05440	PACIFIC COAST RENTALS	661-00-00-21000	100.00	9/16/2022
247591	UB*05443	Puangraj Ryan	661-00-00-21000	14.49	9/16/2022
247592	UB*05445	Stringer Joseph	661-00-00-21000	21.39	9/16/2022
247593	UB*05439	Wennerholm Ann	661-00-00-21000	22.81	9/16/2022
247594	AMWIN010	AmWINS Group Benefits Inc./REMIF	101-00-00-22203	1,326.00	9/16/2022
247595	ANDRE998	Andrews Rebecca	101-00-00-23070	300.00	9/16/2022
247596	ARCAT720	City Of Arcata-Greyhound	663-00-00-11120	897.00	9/16/2022
247597	ARDEL999	Ardell Andrew	101-00-00-43200	40.00	9/16/2022
247598	att030	A. T. & T.	775-10-71-51200	72.08	9/16/2022
247599	BISHOPJO	Bishop Joe	101-30-31-51400	239.00	9/16/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

## City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247600	BISHOPJO	Bishop Joe	101-30-31-51400	213.00	9/16/2022
247601	BRIGGSAN	Briggs Anastasiya	101-40-23-51500	57.78	9/16/2022
247602	BUSIN005	Business Card	204-40-21-51420	1,369.64	9/16/2022
247602	BUSIN005	Business Card	204-40-21-51420	153.01	9/16/2022
247602	BUSIN005	Business Card	204-40-21-51420	389.22	9/16/2022
247603	CABRA997	Cabrales Yvonne	101-00-00-46335	408.00	9/16/2022
247604	CABRA998	Cabrales Fernando	101-00-00-46335	549.00	9/16/2022
247605	CDWG0010	CDWG	775-10-71-55300	752.34	9/16/2022
247605	CDWG0010	CDWG	775-10-71-57800	4,126.58	9/16/2022
247605	CDWG0010	CDWG	101-50-61-57300	2,305.01	9/16/2022
247606	CHAND010	Chandler Asset Management	101-00-00-44100	1,420.58	9/16/2022
247606	CHAND010	Chandler Asset Management	245-00-00-44100	310.95	9/16/2022
247607	CHAND998	Hollensteiner Charles J	550-00-00-24100	4.00	9/16/2022
247607	CHAND998	Hollensteiner Charles J	101-00-00-46100	20.00	9/16/2022
247607	CHAND998	Hollensteiner Charles J	101-00-00-41600	50.00	9/16/2022
247608	CHRISTIE	Brazil Leah	204-40-21-51420	398.00	9/16/2022
247609	CLIVE999	Clover Robert	101-00-00-23070	50.00	9/16/2022
247610	CRANWES	Crandell Wesley	101-50-81-51500	250.00	9/16/2022
247611	CRUZJ999	Cruz Juan	101-00-00-23070	300.00	9/16/2022
247612	FRANC011	Franchise Tax Board	101-00-00-22109	178.35	9/16/2022
247613	GLANG999	Glang Jim	101-00-00-23075	5.00	9/16/2022
247614	HARTL999	Hartline Anne	101-10-03-51770	378.39	9/16/2022
247615	HDSO010	HdL Software LLC	101-00-00-41600	61.76	9/16/2022
247616	HEMMINGS	Hemmingsen Brian	209-50-55-54300	62.64	9/16/2022
247617	HINDE010	Hinderliter De Llamas & Associ	101-20-07-51778	1,301.11	9/16/2022
247618	HUMB970	Humboldt County Office of Education	101-10-03-51770	87.94	9/16/2022
247619	HUMBO025	Humboldt County Clerk Recorder	101-50-41-54200	15.00	9/16/2022
247620	HUMBO101	Humboldt County Planning Divis	101-50-81-57611	1,309.00	9/16/2022
247621	HUMBO210	Humboldt Transit Authority	663-50-91-55300	11,250.00	9/16/2022
247621	HUMBO210	Humboldt Transit Authority	663-50-91-54700	5,615.40	9/16/2022
247622	HUTCH998	Hutchins Alohalani	101-00-00-23070	300.00	9/16/2022
247623	JACOB020	Jacoby Creek Water Dist	661-00-00-46711	2,104.56	9/16/2022
247624	MARRVICT	Johnson Victoria	101-40-21-51400	2,287.50	9/16/2022
247625	NICKELSO	Nickelson Aiden	101-00-00-21090	(2.32)	9/16/2022
247625	NICKELSO	Nickelson Aiden	207-50-45-51500	2.32	9/16/2022
247625	NICKELSO	Nickelson Aiden	207-50-45-51500	247.68	9/16/2022
247626	OCONN997	O'Connell Tiffany	101-00-00-23070	50.00	9/16/2022
247627	OPERA010	Operating Engineers No 3	101-00-00-22113	1,798.00	9/16/2022
247628	PACIF020	Pacific Gas & Electric Co	212-30-11-55400	4,760.03	9/16/2022
247629	PAIKN999	Paik-Nicely Marylyn	101-10-03-51770	499.62	9/16/2022
247630	PERSLONG	PERS Long Term Care	101-00-00-22202	67.51	9/16/2022
247631	ROTAR010	Rotary Club Of Arcata - Sunris	101-00-00-23070	50.00	9/16/2022
247632	SAFET020	safetybygeorge LLC	212-30-11-55400	80.00	9/16/2022
247633	STATE020	Tax and Fee Administration California Department of	101-00-00-22109	52.09	9/16/2022
247634	SUDDE010	Suddenlink	775-10-71-51210	116.48	9/16/2022
247635	USBAN003	US Bank Equipment Finance	775-10-71-53300	215.92	9/16/2022
247635	USBAN003	US Bank Equipment Finance	775-10-71-53300	192.30	9/16/2022
247635	USBAN003	US Bank Equipment Finance	775-10-71-53300	126.44	9/16/2022
247635	USBAN003	US Bank Equipment Finance	101-40-21-53300	230.97	9/16/2022
247636	WAGEW010	Wage Works	101-00-00-22110	100.00	9/16/2022
247637	ALVES010	Alves Inc.	207-50-45-55600	1,485.00	9/16/2022
247638	ARCAT620	Arcata Used Tire & Wheel	771-50-57-54600	20.00	9/16/2022
247638	ARCAT620	Arcata Used Tire & Wheel	771-50-57-51770	49.00	9/16/2022
247638	ARCAT620	Arcata Used Tire & Wheel	771-50-57-54600	100.00	9/16/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247638	ARCAT620	Arcata Used Tire & Wheel	771-50-57-54600	20.00	9/16/2022
247638	ARCAT620	Arcata Used Tire & Wheel	771-50-57-51770	15.00	9/16/2022
247639	ATTCALNE	AT&T	101-40-21-52522	365.21	9/16/2022
247640	B&BPO010	B & B Portable Toilets	101-50-81-55600	468.68	9/16/2022
247641	BUDDY010	Buddy's Auto Center	101-40-23-51762	55.00	9/16/2022
247641	BUDDY010	Buddy's Auto Center	101-40-23-51762	55.00	9/16/2022
247641	BUDDY010	Buddy's Auto Center	101-40-23-51762	55.00	9/16/2022
247641	BUDDY010	Buddy's Auto Center	101-40-23-51762	300.00	9/16/2022
247641	BUDDY010	Buddy's Auto Center	101-40-23-51762	805.50	9/16/2022
247641	BUDDY010	Buddy's Auto Center	101-40-23-51762	55.00	9/16/2022
247641	BUDDY010	Buddy's Auto Center	101-40-23-51762	300.00	9/16/2022
247642	BUGPR010	Bug Press	101-40-21-53300	477.40	9/16/2022
247643	CADEP040	CA Dep Of Justice	101-40-21-52524	1,366.00	9/16/2022
247643	CADEP040	CA Dep Of Justice	101-10-15-52524	245.00	9/16/2022
247643	CADEP040	CA Dep Of Justice	101-40-21-51770	385.00	9/16/2022
247643	CADEP040	CA Dep Of Justice	101-60-89-52524	49.00	9/16/2022
247643	CADEP040	CA Dep Of Justice	101-40-21-51770	315.00	9/16/2022
247643	CADEP040	CA Dep Of Justice	101-10-15-52524	245.00	9/16/2022
247643	CADEP040	CA Dep Of Justice	101-40-21-52524	1,759.00	9/16/2022
247644	CALTE010	Caltest Analytical Lab	662-60-67-51742	589.00	9/16/2022
247645	CHILD994	Childs Robert Bruce	662-60-67-51720	36.00	9/16/2022
247646	CSWST010	CSW-Stuber-Stroeh Engineering Group Inc	231-50-45-51770	13,358.50	9/16/2022
247647	EUREK120	Eureka Rubber Stamp	101-40-21-51500	6.33	9/16/2022
247647	EUREK120	Eureka Rubber Stamp	101-40-21-51500	27.44	9/16/2022
247648	EUREK130	Eureka Ready Mix Concrete Co Inc	661-50-63-53800	353.12	9/16/2022
247649	FEDER010	Fedex	662-60-67-53100	104.61	9/16/2022
247650	GCSEN010	GCS Environmental Equip	771-50-57-54400	2,170.49	9/16/2022
247651	HARPE010	Harper Ford Country	771-50-57-54400	14.13	9/16/2022
247651	HARPE010	Harper Ford Country	771-50-57-54400	117.08	9/16/2022
247651	HARPE010	Harper Ford Country	771-50-57-54400	(91.07)	9/16/2022
247651	HARPE010	Harper Ford Country	771-50-57-54400	374.43	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-55300	53.75	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-81-55400	7.32	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-53600	24.04	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-81-55400	18.43	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-81-55400	58.55	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-81-55400	19.06	9/16/2022
247652	HENSE010	Hensels Hardware	212-30-11-55400	19.51	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-81-54200	29.28	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-55400	45.10	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-55400	32.91	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-53600	14.08	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-53600	28.37	9/16/2022
247652	HENSE010	Hensels Hardware	771-50-57-57800	10.84	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-55400	26.43	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-53600	46.16	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-81-54200	18.16	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-55400	22.83	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-81-53600	35.77	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-53600	15.17	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-53600	37.91	9/16/2022
247652	HENSE010	Hensels Hardware	101-50-85-55400	19.14	9/16/2022
247653	HUMBO010	Humboldt Bay Municipal Water District	661-60-64-54000	128,549.23	9/16/2022
247654	HUMBO116	Humboldt Fasteners	207-50-45-54300	114.96	9/16/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)



City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247654	HUMBO116	Humboldt Fasteners	207-50-45-54300	91.75	9/16/2022
247654	HUMBO116	Humboldt Fasteners	207-50-45-54300	964.44	9/16/2022
247655	HUMBO200	Humboldt Termite & Pest Control	212-30-11-55400	150.00	9/16/2022
247655	HUMBO200	Humboldt Termite & Pest Control	101-50-85-51770	182.00	9/16/2022
247656	HUMPE010	Humboldt Pet Supply	664-60-73-54200	434.00	9/16/2022
247656	HUMPE010	Humboldt Pet Supply	101-50-81-55400	425.32	9/16/2022
247656	HUMPE010	Humboldt Pet Supply	662-60-67-55400	425.32	9/16/2022
247657	IBSOF010	IBS Of The Redwoods	771-50-57-54400	115.87	9/16/2022
247658	INDUS020	Industrial Electric Arcata Inc	662-60-67-55300	2,570.88	9/16/2022
247659	INFOS010	Infosend Inc	101-20-07-51770	88.87	9/16/2022
247659	INFOS010	Infosend Inc	101-20-07-53110	202.98	9/16/2022
247659	INFOS010	Infosend Inc	101-00-00-21090	(0.22)	9/16/2022
247659	INFOS010	Infosend Inc	101-20-07-51770	0.22	9/16/2022
247659	INFOS010	Infosend Inc	662-60-67-51770	516.45	9/16/2022
247659	INFOS010	Infosend Inc	661-60-64-53100	1,505.42	9/16/2022
247659	INFOS010	Infosend Inc	662-60-67-53100	1,505.42	9/16/2022
247659	INFOS010	Infosend Inc	661-60-64-51770	516.46	9/16/2022
247660	JMBOD010	J & M Body Shop/Towing	101-40-23-51762	130.00	9/16/2022
247660	JMBOD010	J & M Body Shop/Towing	101-40-23-51762	130.00	9/16/2022
247661	KEENA010	Keenan Supply	661-50-63-53900	3,844.38	9/16/2022
247662	KERNE010	Kernen Construction	207-50-45-53800	1,002.76	9/16/2022
247662	KERNE010	Kernen Construction	101-00-00-21090	(6.98)	9/16/2022
247662	KERNE010	Kernen Construction	207-50-45-53800	6.98	9/16/2022
247662	KERNE010	Kernen Construction	101-00-00-21090	(137.13)	9/16/2022
247662	KERNE010	Kernen Construction	207-50-45-53800	137.13	9/16/2022
247662	KERNE010	Kernen Construction	207-50-45-53800	19,700.86	9/16/2022
247662	KERNE010	Kernen Construction	207-50-45-53800	67.37	9/16/2022
247662	KERNE010	Kernen Construction	101-00-00-21090	(67.37)	9/16/2022
247662	KERNE010	Kernen Construction	207-50-45-53800	9,678.84	9/16/2022
247663	LEXIS020	LexisNexis Risk Data Management Inc	101-40-21-52522	750.00	9/16/2022
247664	MACSR010	Mac's Refrigeration Service	212-30-11-55400	110.00	9/16/2022
247665	MADRI010	American Hospital Management	101-40-21-51770	146.64	9/16/2022
247666	MADRI060	Mad River Union	101-30-11-51780	192.00	9/16/2022
247666	MADRI060	Mad River Union	101-10-15-51300	144.00	9/16/2022
247667	MCMAS010	McMaster-Carr	662-60-67-55300	28.24	9/16/2022
247668	MENDE010	Mendes Supply Co	212-30-11-55400	186.04	9/16/2022
247668	MENDE010	Mendes Supply Co	101-50-85-53600	1,165.42	9/16/2022
247668	MENDE010	Mendes Supply Co	661-60-64-53600	203.54	9/16/2022
247669	MUNIM010	Munimetrix Inc	101-10-05-51770	79.98	9/16/2022
247670	NORTH150	Northcoast Laboratories Inc	661-60-64-51742	125.00	9/16/2022
247670	NORTH150	Northcoast Laboratories Inc	661-60-64-51742	65.00	9/16/2022
247670	NORTH150	Northcoast Laboratories Inc	662-60-67-51742	255.00	9/16/2022
247670	NORTH150	Northcoast Laboratories Inc	662-60-67-51742	110.00	9/16/2022
247670	NORTH150	Northcoast Laboratories Inc	662-60-67-51742	255.00	9/16/2022
247670	NORTH150	Northcoast Laboratories Inc	662-60-67-51742	385.00	9/16/2022
247670	NORTH150	Northcoast Laboratories Inc	662-60-67-51742	385.00	9/16/2022
247670	NORTH150	Northcoast Laboratories Inc	662-60-67-51742	150.00	9/16/2022
247671	NORTH330	Northern Humboldt U.H.S.D	207-50-45-51770	294.37	9/16/2022
247671	NORTH330	Northern Humboldt U.H.S.D	662-60-67-51770	294.37	9/16/2022
247671	NORTH330	Northern Humboldt U.H.S.D	664-60-73-51770	294.38	9/16/2022
247672	PACES010	Pace Supply Corp	661-50-63-53900	690.17	9/16/2022
247673	PHOEN010	Phoenix Group Information Systems	101-40-23-54200	220.00	9/16/2022
247674	PITNE010	Pitney Bowes Postage By	101-20-07-56505	145.95	9/16/2022
247675	REDWO010	Redwood Community Action Agency	210-50-48-51770	3,796.20	9/16/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

## City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247676	SHRED020	Shred Aware LLC.	101-40-21-51770	117.42	9/16/2022
247677	SMITH898	Smith Tracee	259-30-14-58300	92.58	9/16/2022
247678	SPRIN030	Springbrook Holding Company LLC	662-60-67-53400	109.50	9/16/2022
247678	SPRIN030	Springbrook Holding Company LLC	661-60-64-53400	109.50	9/16/2022
247679	TETRA010	WN Tetrault & Co Inc	771-50-57-51770	160.00	9/16/2022
247680	USABL010	USA Blue Book	662-60-67-51728	118.28	9/16/2022
247680	USABL010	USA Blue Book	662-60-67-51728	11.64	9/16/2022
	ACH PERS010	PERS	101-00-00-22202	63,777.54	9/16/2022
	ACH PAYR010	Payroll Deductions ACH	MISC	122,231.15	9/16/2022
	ACH CADIS010	CA State Disbursement Unit	101-00-00-22109	91.09	9/16/2022
	ACH CADIS010	CA State Disbursement Unit	101-00-00-22109	91.09	9/16/2022
	ACH LINCO010	The Lincoln National Life Insurance Company	662-60-67-50990	3.50	9/16/2022
	ACH LINCO010	The Lincoln National Life Insurance Company	662-50-65-50990	0.87	9/16/2022
	ACH LINCO010	The Lincoln National Life Insurance Company	661-50-63-50990	0.88	9/16/2022
	ACH LINCO010	The Lincoln National Life Insurance Company	101-00-00-22206	1,058.75	9/16/2022
	ACH LINCO010	The Lincoln National Life Insurance Company	661-60-64-50990	3.50	9/16/2022
	ACH LINCO010	The Lincoln National Life Insurance Company	101-10-01-50990	(3.50)	9/16/2022
	ACH PERS010	PERS	101-00-00-22202	64,536.25	9/23/2022
	ACH PAYR010	Payroll Deductions ACH	MISC	116,437.35	9/23/2022
	ACH PERS020	CalPERS	101-00-00-22202	174,389.09	9/23/2022
	ACH CADIS010	CA State Disbursement Unit	101-00-00-22109	81.23	9/23/2022
	ACH PAYROLL	Payroll Direct Deposits	MISC	237,931.85	9/23/2022
310497	PAYROLL	Payroll	MISC	569.94	9/23/2022
310498	PAYROLL	Payroll	MISC	240.69	9/23/2022
310499	PAYROLL	Payroll	MISC	604.10	9/23/2022
310500	PAYROLL	Payroll	MISC	256.72	9/23/2022
310501	PAYROLL	Payroll	MISC	751.03	9/23/2022
310502	PAYROLL	Payroll	MISC	2,104.57	9/23/2022
310503	PAYROLL	Payroll	MISC	592.61	9/23/2022
310504	PAYROLL	Payroll	MISC	670.34	9/23/2022
310505	PAYROLL	Payroll	MISC	777.87	9/23/2022
310506	PAYROLL	Payroll	MISC	1,553.68	9/23/2022
310507	PAYROLL	Payroll	MISC	177.29	9/23/2022
310508	PAYROLL	Payroll	MISC	754.69	9/23/2022
310509	PAYROLL	Payroll	MISC	523.75	9/23/2022
310510	PAYROLL	Payroll	MISC	596.70	9/23/2022
310511	PAYROLL	Payroll	MISC	126.10	9/23/2022
310512	PAYROLL	Payroll	MISC	115.34	9/23/2022
	ACH CADIS010	CA State Disbursement Unit	101-00-00-22109	81.23	9/23/2022
247681	UB*05447	Cabrera Alexis	661-00-00-21000	172.44	9/23/2022
247682	UB*05446	Cheney Tom	661-00-00-21000	100.00	9/23/2022
247683	UB*05451	Davis Diane	661-00-00-21000	19.96	9/23/2022
247684	UB*05450	De Dios Itzel	661-00-00-21000	16.38	9/23/2022
247685	UB*05452	Hollowell David	661-00-00-21000	13.88	9/23/2022
247685	UB*05452	Hollowell David	101-00-00-21000	0.42	9/23/2022
247686	UB*05449	Pacific Builder	661-00-00-21000	27.76	9/23/2022
247687	UB*05448	Soutiere Brett	661-00-00-21000	183.18	9/23/2022
247688	AEDC0010	A.E.D.C.	255-30-14-51770	630.00	9/23/2022
247689	ARCAT020	ADBC/Arcata Mainstreet	101-10-01-52103	5,882.00	9/23/2022
247690	PLANW010	Planwest Partners Inc	213-30-13-58002	18,492.00	9/23/2022
247690	PLANW010	Planwest Partners Inc	213-30-13-58004	4,328.50	9/23/2022
247691	ARCAT340	Arcata House Partnership	101-00-00-23070	300.00	9/23/2022
247692	att030	A. T. & T.	775-10-71-51200	37.04	9/23/2022
247693	DIAMO010	Diamond Nancy	101-10-09-51771	17,834.00	9/23/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247693	DIAMO010	Diamond Nancy	101-10-09-54200	4.80	9/23/2022
247694	FRANCO11	Franchise Tax Board	101-00-00-22109	292.95	9/23/2022
247695	HAGER999	Hagerty Jett	101-00-00-23070	20.00	9/23/2022
247696	HOFFMANB	Hoffman Brian	204-40-21-51420	122.00	9/23/2022
247697	LIUFA999	Liufau Elizabeth	101-00-00-23070	50.00	9/23/2022
247698	NATURALF	Natural Fiber Fair	101-00-00-23070	500.00	9/23/2022
247699	NORTH230	North Coast Unified Air Quality Mgmt Dist	771-50-57-51770	73.00	9/23/2022
247700	NORTH230	North Coast Unified Air Quality Mgmt Dist	771-50-57-51770	73.00	9/23/2022
247701	ORTEGACH	Ortega Chris	204-40-21-51420	122.00	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	662-60-67-51100	44.23	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	101-50-41-51100	35.18	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	101-50-41-51100	35.65	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	101-50-41-51100	10.83	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	101-50-81-51100	1,985.97	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	666-60-51-51100	26.29	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	661-60-64-51100	7,010.75	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	101-50-81-51100	52.38	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	663-50-91-51100	8.12	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	101-50-85-51100	10,137.33	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	662-60-67-51100	26,825.92	9/23/2022
247702	PACIF020	Pacific Gas & Electric Co	101-50-41-51100	5,542.68	9/23/2022
247703	PEREZLOP	Perez Lopez Fernando	207-50-45-51500	211.93	9/23/2022
247704	PERSLONG	PERS Long Term Care	101-00-00-22202	67.51	9/23/2022
247705	PITRE999	Pitre Tessa	101-00-00-23070	50.00	9/23/2022
247706	PURCELLN	Purcell Nick	771-50-57-51770	147.50	9/23/2022
247707	RAYMO010	Ray Morgan Company	101-20-07-53210	168.89	9/23/2022
247707	RAYMO010	Ray Morgan Company	101-40-21-53300	283.97	9/23/2022
247707	RAYMO010	Ray Morgan Company	775-10-71-53300	792.99	9/23/2022
247708	SLIDE999	Slider Courtney	662-00-00-46830	4,787.95	9/23/2022
247709	STATE999	State Water Resources Control Board	210-50-45-51770	2,417.00	9/23/2022
247710	SUDDE010	Suddenlink	775-10-71-51210	321.94	9/23/2022
247710	SUDDE010	Suddenlink	775-10-71-51210	327.01	9/23/2022
247711	SUDDE020	Suddenlink	775-10-71-51210	685.00	9/23/2022
247711	SUDDE020	Suddenlink	775-10-71-51200	968.92	9/23/2022
247711	SUDDE020	Suddenlink	101-40-21-51200	415.00	9/23/2022
247712	TMOBIO10	T-Mobile USA Inc.	101-40-21-51200	3,961.26	9/23/2022
247712	TMOBIO10	T-Mobile USA Inc.	775-10-71-51200	1,825.57	9/23/2022
247713	4LEAF010	4Leaf Inc.	101-30-31-51722	1,303.14	9/23/2022
247714	ARCAT580	Arcata Stationers	101-30-31-53300	9.75	9/23/2022
247714	ARCAT580	Arcata Stationers	101-30-31-53300	4.40	9/23/2022
247714	ARCAT580	Arcata Stationers	101-50-41-53300	9.74	9/23/2022
247714	ARCAT580	Arcata Stationers	101-50-41-53300	4.40	9/23/2022
247714	ARCAT580	Arcata Stationers	101-50-41-53300	30.31	9/23/2022
247714	ARCAT580	Arcata Stationers	101-30-31-53300	30.31	9/23/2022
247714	ARCAT580	Arcata Stationers	101-50-81-53300	52.15	9/23/2022
247714	ARCAT580	Arcata Stationers	101-40-21-53300	54.38	9/23/2022
247714	ARCAT580	Arcata Stationers	101-50-81-53300	42.41	9/23/2022
247714	ARCAT580	Arcata Stationers	101-30-31-53300	9.76	9/23/2022
247714	ARCAT580	Arcata Stationers	101-50-41-53300	9.75	9/23/2022
247714	ARCAT580	Arcata Stationers	662-60-67-53300	230.07	9/23/2022
247714	ARCAT580	Arcata Stationers	101-20-07-53300	303.83	9/23/2022
247714	ARCAT580	Arcata Stationers	101-60-89-53300	131.58	9/23/2022
247714	ARCAT580	Arcata Stationers	101-20-07-53220	705.14	9/23/2022
247715	ATTALNE	AT&T	101-40-21-52522	365.21	9/23/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

## City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247716	BOBCA020	Bobcat of Chico	771-50-57-54400	279.72	9/23/2022
247716	BOBCA020	Bobcat of Chico	771-50-57-54400	(213.80)	9/23/2022
247717	BORGE010	Borges & Mahoney Inc.	662-60-67-55300	132.83	9/23/2022
247717	BORGE010	Borges & Mahoney Inc.	662-60-67-55300	267.78	9/23/2022
247718	BPRCO010	BPR Consulting Group LLC	101-30-31-51722	270.00	9/23/2022
247719	BUDDY010	Buddy's Auto Center	101-40-23-51762	300.00	9/23/2022
247719	BUDDY010	Buddy's Auto Center	101-40-23-51762	55.00	9/23/2022
247719	BUDDY010	Buddy's Auto Center	101-40-23-51762	55.00	9/23/2022
247719	BUDDY010	Buddy's Auto Center	101-40-23-51762	55.00	9/23/2022
247719	BUDDY010	Buddy's Auto Center	101-40-23-51762	60.00	9/23/2022
247720	CAROL010	Carollo Engineers Inc.	662-60-67-57601	14,075.00	9/23/2022
247721	COOPH010	Cooperation Humboldt	224-60-81-51770	4,438.05	9/23/2022
247722	CSGCO010	CSG Consultants Inc	664-60-73-51770	5,500.00	9/23/2022
247723	DAVID020	Davidson Bros Lock & Safe	101-50-85-51770	1,164.26	9/23/2022
247724	EUREK130	Eureka Ready Mix Concrete Co Inc	661-50-63-53800	129.77	9/23/2022
247725	GHDIN010	GHD Inc.	210-50-48-51770	993.80	9/23/2022
247725	GHDIN010	GHD Inc.	210-50-45-51770	26,113.54	9/23/2022
247726	GUYRE010	Guy Rents Inc	205-60-87-57600	1,005.77	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	360.08	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	10.00	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	10.00	9/23/2022
247727	HUMBO085	Humboldt County DHHS	662-60-67-51900	1,184.00	9/23/2022
247727	HUMBO085	Humboldt County DHHS	662-60-67-51900	3,497.87	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	775.00	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	290.00	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	26.00	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	270.00	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	84.00	9/23/2022
247727	HUMBO085	Humboldt County DHHS	661-60-64-51900	84.00	9/23/2022
247728	INDUS020	Industrial Electric Arcata Inc	661-60-64-55300	941.40	9/23/2022
247729	INTER050	Interwest Consulting Group Inc	101-30-31-51722	1,125.00	9/23/2022
247730	JMBOD010	J & M Body Shop/Towing	101-40-23-51762	135.00	9/23/2022
247730	JMBOD010	J & M Body Shop/Towing	101-40-23-51762	135.00	9/23/2022
247731	KEENA010	Keenan Supply	661-50-63-53900	1,322.36	9/23/2022
247732	KERNE010	Kernen Construction	661-50-63-53800	4,427.68	9/23/2022
247732	KERNE010	Kernen Construction	101-00-00-21090	(30.82)	9/23/2022
247732	KERNE010	Kernen Construction	661-50-63-53800	30.82	9/23/2022
247732	KERNE010	Kernen Construction	666-60-51-57606	14.07	9/23/2022
247732	KERNE010	Kernen Construction	101-00-00-21090	(14.07)	9/23/2022
247732	KERNE010	Kernen Construction	666-60-51-57606	2,020.31	9/23/2022
247733	LOSTC010	Lost Coast Communications Inc.	101-10-15-51300	180.00	9/23/2022
247734	MADRI060	Mad River Union	101-10-05-52501	49.50	9/23/2022
247734	MADRI060	Mad River Union	101-10-05-51300	67.50	9/23/2022
247735	MCKIN040	McKinleyville Community Servic	661-60-64-54000	1,649.64	9/23/2022
247736	MISSIO10	Mission Linen Ind.Inc.	212-30-11-55400	77.43	9/23/2022
247736	MISSIO10	Mission Linen Ind.Inc.	662-60-67-51500	111.17	9/23/2022
247736	MISSIO10	Mission Linen Ind.Inc.	771-50-57-51500	75.05	9/23/2022
247736	MISSIO10	Mission Linen Ind.Inc.	212-30-11-55400	77.43	9/23/2022
247736	MISSIO10	Mission Linen Ind.Inc.	771-50-57-51500	73.12	9/23/2022
247736	MISSIO10	Mission Linen Ind.Inc.	661-60-64-51500	111.17	9/23/2022
247736	MISSIO10	Mission Linen Ind.Inc.	662-60-67-51500	111.17	9/23/2022
247736	MISSIO10	Mission Linen Ind.Inc.	771-50-57-51500	73.12	9/23/2022
247737	NOCAP010	Northern California Playworks Inc	101-50-85-57300	6,341.00	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	30.50	9/23/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	62.25	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	54.50	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	98.50	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	18.75	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	40.50	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	134.75	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	33.89	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	69.50	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	134.75	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	127.50	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	134.75	9/23/2022
247738	NORMA010	Norman's Dry Cleaners	101-40-21-51500	47.75	9/23/2022
247739	NORTH140	North Coast Journal Inc	101-10-15-51300	103.70	9/23/2022
247739	NORTH140	North Coast Journal Inc	101-10-15-51300	25.00	9/23/2022
247739	NORTH140	North Coast Journal Inc	101-10-15-51300	130.90	9/23/2022
247739	NORTH140	North Coast Journal Inc	101-10-15-51300	42.50	9/23/2022
247739	NORTH140	North Coast Journal Inc	101-10-15-51300	25.00	9/23/2022
247739	NORTH140	North Coast Journal Inc	101-10-15-51300	42.50	9/23/2022
247740	NORTH150	Northcoast Laboratories Inc	662-60-67-51742	425.00	9/23/2022
247740	NORTH150	Northcoast Laboratories Inc	662-60-67-51742	300.00	9/23/2022
247741	OCCUP020	American Hospital Management	101-10-15-51702	122.50	9/23/2022
247741	OCCUP020	American Hospital Management	101-10-15-51702	192.50	9/23/2022
247742	PACMA010	Pac Machine Company Inc.	101-50-85-57800	46,660.70	9/23/2022
247743	PAPER020	Paper Direct Inc.	101-10-05-54200	164.89	9/23/2022
247744	REDWO010	Redwood Community Action Agency	210-50-48-51770	5,486.40	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	19.12	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	15.12	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	62.80	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	324.57	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	2.41	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	8.10	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	5.39	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	84.43	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	127.34	9/23/2022
247745	SCHIR010	NAPA Auto Parts of Arcata	771-50-57-54400	435.71	9/23/2022
247746	USABL010	USA Blue Book	662-60-67-53500	189.11	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	554.69	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	56.20	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	1,418.26	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	1,492.39	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	805.71	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	880.43	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	159.23	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	246.42	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	198.49	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	794.64	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	49.18	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	69.47	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	804.40	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	544.36	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	1,614.54	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	470.65	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	108.43	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	207.73	9/23/2022

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)

City of Arcata Bi-Weekly Report on Cash Disbursements 09/10/2022-09/23/2022

<u>Check No.</u>	<u>Vendor No.</u>	<u>Vendor Name</u>	<u>GL Account</u>	<u>Amount</u>	<u>Date</u>
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	1,744.53	9/23/2022
247747	VALLE030	Valley Pacific Petroleum Services Inc	771-50-57-54700	157.40	9/23/2022
247748	VERMO010	Vermont Systems Inc.	101-60-89-55300	49.98	9/23/2022
247748	VERMO010	Vermont Systems Inc.	101-60-89-55300	4,950.00	9/23/2022
				<u>1,630,852.65</u>	

Attachment: A. Cash Disbursements Report 091022-092322 (4009 : Disbursements Listing)



# STAFF REPORT – CITY COUNCIL MEETING

October 05, 2022

**TO:** Honorable Mayor and City Council Members

**FROM:** Karen T. Diemer, City Manager

**PREPARER:** Karen T. Diemer, City Manager

**DATE:** September 29, 2022

**TITLE:** **Declare a Continuation of the Local Emergency Related to the Coronavirus Pandemic.**

## RECOMMENDATION:

It is recommended that the Council:

- 1) Continue the Local Emergency related to the Coronavirus (COVID-19) pandemic and provide direction to staff as necessary on steps to respond to the public health and safety emergency; and
- 2) Find that the COVID-19 state of emergency could continue to directly impact the ability of the Council and public to meet safely in person, and state or local officials continue to impose or recommend measures to promote social distancing.

## INTRODUCTION:

California Government Code section 8630 and Title II, Chapter 6—Emergency Operations and Functions, of the City of Arcata Municipal Code set forth the procedures to proclaim the existence or threatened existence of a local emergency when circumstances described therein exist. On April 1, 2020, the City Council adopted a resolution confirming the existence of a local emergency caused by the Coronavirus (COVID-19). The Arcata Municipal Code Title II, Chapter 6, requires the City Council to review and affirm the continuation of the Emergency proclamation every 40 days after the initial declaration.

## BACKGROUND/DISCUSSION:

The Humboldt County Health Officer's and the California Governor's Emergency Declaration are still in place.

The Federal Government and California are calling on people to exercise caution about COVID-19, emphasizing the importance of getting booster shots for those who are eligible and wearing masks indoors. The current warning stems from the increased transmissibility of the BA.4 and BA.5 variants, which are offshoots of the omicron strain that has been responsible for nearly all of the

virus spread in the U.S. this summer. This month a bivalent booster vaccine was released and is available locally.

Although Humboldt is not currently in a high-risk category 30 counties in California are in moderate to high-risk transmission rates and encouraged to mask again for many indoor activities. Health officials remain confident that vaccination and booster shots can lessen the impacts of highly transmissible Omicron variant, including hospitalizations and deaths. A total of 91,634 individuals, or approximately 67% of the county's total population, have been fully vaccinated as of September 27, 2022.

The City continues to need and seek additional assistance, and a formal declaration of emergency allows additional resources to flow to the City in a timely fashion. The declaration of emergency also allows needed flexibility in staffing decisions and steps needed to continue to deliver essential services and to protect the City's residents. The declaration enables the City to more effectively respond to the outbreak, and potentially obtain reimbursement for the response.

### **Council, Commission and Committee Meetings:**

**COVID Modification:** Meetings may be accessed by the public via Zoom or in person. Current public health orders do not require attendees to be masked unless they are unvaccinated. Social distancing is strongly encouraged.

**City Council:** The City will endeavor to allow access to meetings both online and in person. The City may return to Zoom platform meetings based on virus conditions in the community as needed. On September 19, 2021, Governor Newsom signed AB 361, amending the Brown Act effective through January 1, 2024.

AB 361 authorizes local agencies to continue meeting remotely without following the Brown Act's standard teleconferencing provisions, including the requirement that meetings be conducted in physical locations, if the meeting is held during a state of emergency proclaimed by the Governor and either of the following applies: (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body has already determined or is determining whether—as a result of the emergency—meeting in person would present imminent risks to the health or safety of attendees. In order to continue to conduct remote meetings without complying with the standard teleconference requirements, every 30 days the Council must make the following findings by majority vote: (1) the Council has reconsidered the circumstances of the state of emergency; and, (2) any of the following exist: (a) the state of emergency continues to directly impact the ability of the Council members to meet safely in person, or (b) state or local officials continue to impose or recommend measures to promote social distancing.

AB 361 adds new procedures and clarifies the requirements for conducting remote meetings, including the following:

- **Public Comment Opportunities in Real Time:** A legislative body that meets remotely pursuant to AB 361 must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time. A legislative body cannot require public comments to be submitted in advance of the meeting.



- **No Action During Disruptions:** In the event of a disruption that prevents the local agency from broadcasting the remote meeting, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, AB 361 prohibits the legislative body from taking any further action on items appearing on the meeting agenda until public access to the meeting via the call-in or internet-based options is restored.
- **Periodic Findings:** To continue meeting remotely pursuant to AB 361, a legislative body must make periodic findings concerning the declared emergency and its effects. AB 361 will sunset on January 1, 2024. The continuation of this Declared Emergency locally is intended to satisfy this requirement for periodic findings.

Planning Commission: The Planning Commission has returned to in person /hybrid meetings operated similar to the Council meetings.

Committees: Meetings are currently scheduled to continue in teleconference/Zoom platform. As no true hybrid option is available this will be evaluated each month which the option is available. No hybrid option planned.

#### **POLICY IMPLICATIONS:**

The action of extending the emergency proclamation is consistent with Arcata Municipal Code Title II, Chapter 6.

#### **BUDGET/FISCAL IMPACT:**

While there will be costs associated with City's emergency response to COVID-19, continuation of the proclamation of a Local Emergency by the City Council has no direct cost impact. However, it may enable potential external sources for reimbursement to costs associated with the City's emergency response.



# STAFF REPORT – CITY COUNCIL MEETING

October 05, 2022

**TO:** Honorable Mayor and City Council Members

**FROM:** Netra Khatri, City Engineer

**PREPARER:** Netra Khatri, City Engineer

**DATE:** September 29, 2022

**TITLE:** **Award a Construction Contract for the 2022 10th Street Sewer Improvement Project to Mobley Construction, dba MCI in the Amount of \$170,125.00; Authorize the City Engineer to Increase the Contract Amount by up to \$25,518.75 (15 Percent, for a Total of \$195,643.75) to Allow for Any Unforeseen Contingencies and Additional Work as Necessary; and Authorize the City Manager to Execute All Applicable Documents.**

## RECOMMENDATION:

It is recommended that the Council:

- 1) Award a Construction Contract for the 2022 10th Street Sewer Improvement Project to Mobley Construction, dba MCI in the Amount of \$170,125.00;
- 2) Authorize the City Engineer to Increase the Contract Amount by up to \$25,518.75 (15 Percent, for a Total of \$195,643.75) to Allow for Any Unforeseen Contingencies and Additional Work as Necessary; and
- 3) Authorize the City Manager to Execute All Applicable Documents.

## INTRODUCTION:

This project is the City's annual sanitary sewer line rehabilitation project. The plans and specifications for the bidding were finished in late August 2022, and the project was advertised for bids immediately. The project includes but is not limited to: removal of existing sections of sanitary sewer, removal of existing manhole, installation of new section of sanitary sewer, installation of new manhole, and tying in existing sewer laterals to new sanitary sewer along 10<sup>th</sup> Street between L and N Streets.

**BACKGROUND:**

We received two sealed bids from contractors for this project. Below is the Bid Summary

Sr. No.	Name of the Contractor	Base Bid
1	GRS Inc.	\$ 199,525.00
2	Mobley Construction, dba MCI	\$ 170,125.00

*Please see Attachment A, an itemized bid tabulation sheet, for a summary of bids received.*

Sealed bids were received until 11:00 a.m. on September 29, 2022. Following the opening of bids, the bid range was evaluated for consistency, and the lowest responsive bidder’s bid was examined for consistency with contract and project requirements.

If a contract is presently awarded, work will commence on or after October 17, 2022, and should be completed within 30 working days after starting. Prior to issuing a Notice-to-Proceed to the Contractor, public notifications will be made by the City and the Contractor to potentially impacted residents/businesses to inform them of construction activities, possible parking restrictions, and detours/traffic control.

**ENVIRONMENTAL REVIEW (CEQA):**

The California Environment Quality Act (CEQA) determination for the project is a categorical exemption pursuant to CEQA Guidelines Section 15301(d), restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;

**BUDGET/FISCAL IMPACT:**

The contract bid amount is within the budget allocation for the 22/23 Fiscal Year. This project is budgeted as follows:

Account Number/Agency Responsible	Amount	Account Name
662-50-65-57500	\$170,125.00	Capital – Other Improvements

If contingency funds are needed, they will be funded out of above accounts depending on nature of work.

**ATTACHMENTS:**

A - BID SUMMARY\_2022 10th St Sewer Improvement (PDF)

**Bid Summary**

Agency: City of Arcata Date of Bid Opening: 9/29/2022

Project: 2022 10th Street Sewer Improvement Project Time of Bid Opening: 11:00 AM

**Attachment A**

Item No.	Description	Quantity	Unit	GRS Inc.		Mobley Construction, dba MCI	
				Quote Price	Total	Quote Price	Total
<b>Base Bid</b>							
1	Mobilization/Demobilization	1	LS	\$16,000.00	\$16,000.00	\$13,000.00	\$13,000.00
2	Water Pollution Control	1	LS	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
3	Traffic Control	1	LS	\$14,000.00	\$14,000.00	\$13,000.00	\$13,000.00
4	Manhole Installation (4' diameter, +/- 6' deep)	1	EA	\$15,500.00	\$15,500.00	\$12,500.00	\$12,500.00
5	Manhole Removal	1	EA	\$3,000.00	\$3,000.00	\$7,500.00	\$7,500.00
6	Install SDR 35 PVC SS Main (6", +/- 5' avg. depth)	475	LF	\$215.00	\$102,125.00	\$200.00	\$95,000.00
7	Install SDR 35 PVC SS Lateral (4", lower lateral, <30' in length, +/- 5' avg. depth)	93	LF	\$400.00	\$37,200.00	\$125.00	\$11,625.00
8	Install Clean-out	7	EA	\$1,100.00	\$7,700.00	\$1,500.00	\$10,500.00
9	Existing Sewer Manhole Tie-in	1	EA	\$2,000.00	\$2,000.00	\$5,000.00	\$5,000.00
<b>Base Bid Total</b>					<b>\$199,525.00</b>		<b>\$170,125.00</b>

Attachment: A - BID SUMMARY\_2022 10th St Sewer Improvement (4012 : Bid Award Annual Sewer



# STAFF REPORT – CITY COUNCIL MEETING

October 05, 2022

**TO:** Honorable Mayor and City Council Members

**FROM:** Netra Khatri, City Engineer  
LeAnn Schuetzle, Transit Manager

**PREPARER:** Netra Khatri, City Engineer

**DATE:** September 14, 2022

**TITLE:** **Conduct a Public Hearing to Receive Input regarding Unmet Transit Needs and Direct Staff to Forward All Comments to the Humboldt County Association of Governments.**

## RECOMMENDATION:

It is recommended that the Council conduct a public hearing to receive input regarding unmet transit needs, and direct staff to forward all comments to the Humboldt County Association of Governments (HCAOG).

## INTRODUCTION:

Annually, the Humboldt County Association of Governments (HCAOG) reviews unmet transit needs through a multi-jurisdictional public hearing process throughout Humboldt County. As part of this annual process, HCAOG encourages member entities to conduct separate public hearings to receive local comments. Comments can also be received by email, mail, and telephone prior to December 31, 2022. To be included in this year's report of findings, send comments regarding the Arcata and Mad River Transit System (A&MRTS) directly to:

City of Arcata

Attn: LeAnn Schuetzle, Arcata & Mad River Transit System

736 F Street

Arcata, CA 95521

(707) 822-3775

lschuetzle@cityofarcata.org

HCAOG will also receive comments directly on unmet transit needs until December 31, 2022, at:

HCAOG Office

Attn: Beth Burks

611 I Street, Suite B

Eureka, CA 95501  
(707) 444-8208  
Beth.Burks@hcaog.net

**DISCUSSION:**

Comments generated during the public hearing process are to be submitted to HCAOG for inclusion in the annual Unmet Transit Needs Report of Findings. Public input will then be put into one of three categories:

- A. That there are no unmet transit needs; or
- B. That there are no unmet transit needs which are reasonable to meet; or
- C. That there are unmet transit needs, including those that are reasonable to meet.

The adoption of the final HCAOG Report of Findings will occur in early 2023. Please refer to attachments for more detailed information.

**BUDGET/FISCAL IMPACT:**

No immediate financial impact. Funding for any additional service recommendations or unmet needs would be paid from fares, other transit subsidies, and revenues.

**ATTACHMENTS:**

- A. 23-24 Unmet Transit Needs Synopsis (PDF)
- B. UNMET Transit Needs Flyer English (PDF)
- C. UNMET Transit Needs Flyer Spanish (PDF)



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS  
Regional Transportation Planning Agency  
Humboldt County Local Transportation Authority  
Service Authority for Freeway Emergencies  
611 I Street, Suite B  
Eureka, CA 95501  
(707) 444-8208  
www.hcaog.net

## Citizen Participation Process for Assessing Unmet Transit Needs

### Transportation Development Act

The Humboldt County Association of Governments (HCAOG) is responsible for allocating Transportation Development Act (TDA) funds within the region. The TDA provides two major sources of funding, Local Transportation Funds (LTF) derived from a ¼ cent of the general sales tax and State Transportation Assistance Funds (STAF) derived from a tax on diesel fuel. Together, these TDA funds provide a significant revenue source for public transit in Humboldt County. The Unmet Transit Needs process is carried out annually to identify and evaluate any potential needs that are not being met through existing public transportation services. HCAOG is required to assess unmet transit needs prior to allocating LTF money for non-transit purposes, while STA is programmed to the Humboldt Transit Authority and Arcata and Mad River Transit.

Each jurisdiction has their own LTF account. Eureka and Arcata use the entirety of their LTF allocation for transit purposes. The County of Humboldt, Cities of Fortuna, Rio Dell, Blue Lake and Trinidad have funds remaining after paying their share for eligible transit uses. In these cases, the TDA allows LTF to be applied to local streets and roads budgets, including pedestrian and bicycle projects. In Ferndale, there are no eligible public transit services and the LTF allocation is applied to non-transit purposes.

### Public Process to Make a Finding

HCAOG’s Social Services Transportation Advisory Council (SSTAC) leads the UTN process. Although only one hearing is required, public meetings are held to ensure residents in each jurisdiction are heard. The SSTAC considers all public testimony and input, determines if the suggestions meet the adopted definition of an unmet transit need and applies adopted criteria to determine if the need is “reasonable to meet”.

After comments close on December 31, the SSTAC will consider all the comments at their meeting on February 2023, direct staff on any needs to further analyze, and in April 2023 forward one of the following findings to the HCAOG board for consideration:

- (a) there are no unmet transit needs; or
- (b) there are no unmet transit needs which are “reasonable to meet”; or
- (c) there are unmet transit needs, including those that are “reasonable to meet”

### Potential Impacts to Local Transportation Funding

If HCAOG adopts finding (c), then the unmet transit needs shall be funded before any allocation is made for non-transit purposes (i.e. streets and roads) within the jurisdiction. Funds for new or expanded transit services can be set-aside from sources other than TDA funds. For instance, in 2018 the HCAOG Board voted to set aside Low Carbon Transit Operations Program (LCTOP) funds for late-night weekday service on the Redwood Transit Service. The service was found based on ridership at that time to be an unmet transit need reasonable to meet, but could not be funded due to insufficient Local Transportation Funds available to all required entities. When COVID hit and ridership plummeted, these LCTOP funds were repurposed to support free fares.

Attachment: A. 23-24 Unmet Transit Needs Synopsis (4003 : Public Hearing to Receive Unmet Transit Needs)

### Examples of Past Public Input and Findings

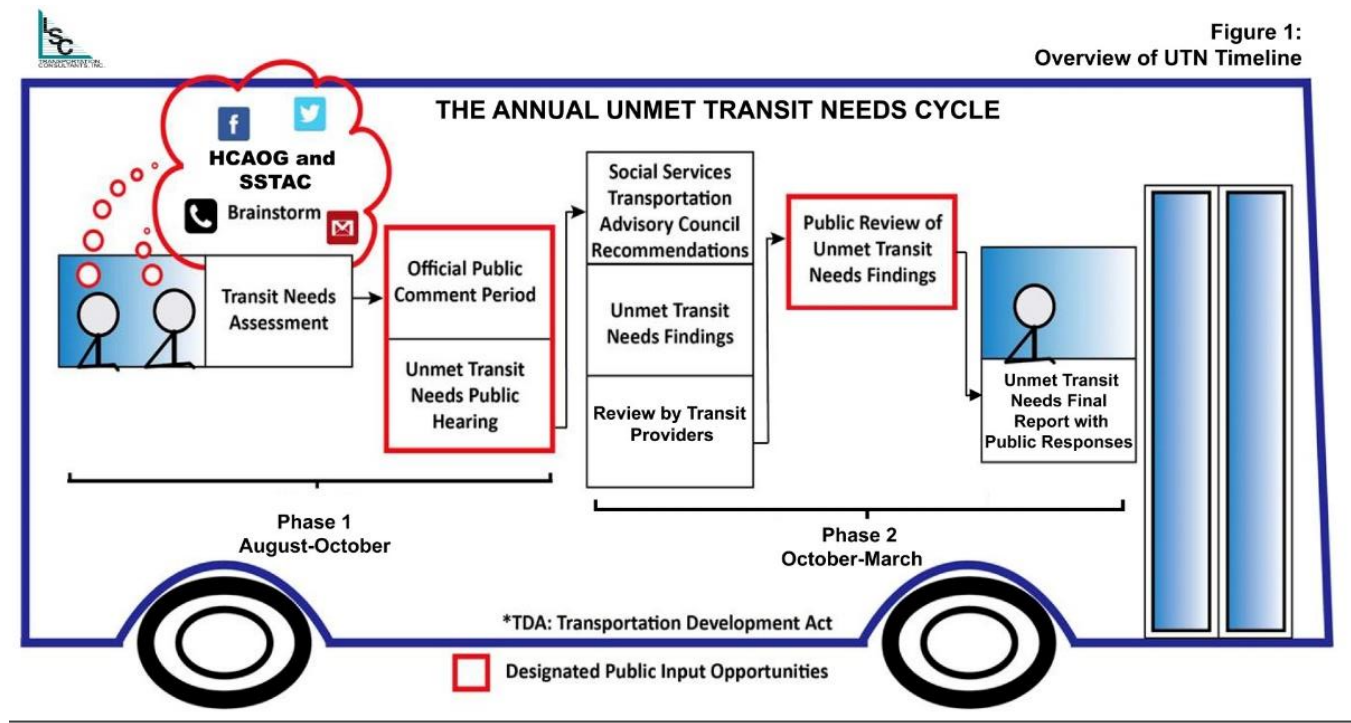
As a result of UTN findings in 2015-16, new transit services began to Tish Non-Village (Bear River Rancheria) and along Old Arcata Road. Both services were discontinued after two years because not enough people used the new service to sustain it.

Public comments often ask for later night service, Sunday service, more frequent peak service between McKinleyville-Arcata-Eureka, and bus service to rural communities. Based on existing ridership, each of these fail to meet the required 10% farebox return ratio -- meaning there are not enough projected transit riders to meet minimum performance criteria necessary to sustain the services. If these conditions change, the Humboldt Transit Authority does not need a formal UTN finding to start new services.

Comments received through this annual process can provide valuable feedback to transit operators. For example, in 2021 several people commented that they needed a westbound bus stop near Titlow Hill for their children to get to school in Arcata on the Willow Creek Intercity line. The operational request was sent to Humboldt Transit Authority and HTA was able to set up a trial flag stop for use during the school year. Not all operational requests can be accommodated, but agencies make every effort to respond. In addition, public comments made during the Unmet Transit Needs process can be beneficial as a record of community need and help secure grant-funded opportunities such as first-last mile mobility solutions to expand access to transit.

### Opportunities for Public Comment on Unmet Transit Needs

- The form linked at the project page: <https://hcaog.net/documents/unmet-transit-needs> or visit the survey directly at <https://bit.ly/humboldttransit>
- At one of the advertised public meetings;
- Written comments and/or feedback gathered from staff during direct outreach;
- Comment submittals by email or telephone: [stephen.luther@hcaog.net/444-8208](mailto:stephen.luther@hcaog.net)



Attachment: A. 23-24 Unmet Transit Needs Synopsis (4003 : Public Hearing to Receive Unmet Transit Needs)



## UNMET TRANSIT NEEDS DEFINITION & REASONABLE TO MEET CRITERIA

**Unmet transit needs** are, at a minimum:

- (1) Trips requested from residents who do not have access to public transportation, specialized transportation, or private transport services or resources for the purpose of traveling to medical care, shopping, social/recreational activities, education/training, and employment; or
- (2) Proposed public transportation, specialized transportation, or private transport services identified in the following, but not limited to: a Transportation Development Plan, Regional Transportation Plan, Coordinated Public Transit–Human Services Transportation Plan.

HCAOG Plans can be found at: <http://hcaog.net/library>

Additionally, unmet transit needs do not include:

- ❖ Improvements funded or scheduled for implementation in the next fiscal year. Two potential new services that will be reevaluated this year are:
  - Express bus service between McKinleyville and Eureka during peak hours
  - Late Night Weekday Service on the Regional Transit System
- ❖ Minor operational improvements or changes such as bus stops, schedules, and minor route changes. Minor operational improvements are changes to service which do not affect the operating cost of the transit service either by requiring additional staff and/or additional vehicle hours of service or miles of service.
- ❖ Trips for primary or secondary school transportation
- ❖ Sidewalk improvements or street and road needs

**Reasonable to meet** criteria:

- (1) To be considered “reasonable to meet”, a service must be operationally feasible and financially sustainable, as defined below:
  - a) The service must have adequate roadways, and must be safe to operate.
  - b) Enough money should be available from identified sources of funding to pay for the marginal operating costs of the service continuously for three years.
- (2) The service must be projected to meet a minimum “marginal farebox-return-ratio” of 10 percent within 2 years. If multiple competing services are requested, other factors may also be considered such as estimated subsidy per passenger trip and passengers per vehicle hour of service. For new service, ridership and farebox-return-ratio thresholds will be considered.
- (3) Pursuant to the requirements of TDA Statutes (Public Utilities Code Section 99401.5c, a determination of needs that are “reasonable to meet” shall not be made by comparing unmet transit needs with the need for streets and roads, for the allocation of TDA funds.
- (4) Once a service is determined to be "reasonable to meet" and is implemented, it can be expected that the ridership in the first 1-2 years of the new service will be less than the projected optimal ridership. Ridership should be evaluated at 6-month intervals to determine if service is meeting performance standards adopted by the transit provider, and specifically, whether the service meets a minimum 10 percent marginal farebox-return-ratio. If the service is being adequately promoted and fails to be within 60 percent of the identified standards after six months, 90 percent with the first year, or 100 percent within two years, the service may be cancelled and deemed "no longer reasonable to meet." An exception to this rule is when a community or group is willing to participate in sharing the ongoing cost of the new service.



# Are there places you can't reasonably access with public transportation?

Please let us know! Attend a public hearing, complete the online survey, or reach out to HCAOG staff.

Comment by December 31, 2022



Scan or visit link for survey

Online survey:  
[bit.ly/humboldttransit](https://bit.ly/humboldttransit)

The meetings listed below can be attended in-person or via teleconference. You may also send email comments to [stephen.luther@hcaog.net](mailto:stephen.luther@hcaog.net) or call HCAOG staff at 707-444-8208

<p>City of Rio Dell Tues, October 4, 2022 at 6 p.m. 675 Wildwood Avenue <a href="https://www.cityofriodell.ca.gov">https://www.cityofriodell.ca.gov</a></p>	<p>City of Eureka Tues, October 4, 2022 at 6 p.m. 531 K Street <a href="https://www.ci.eureka.ca.gov/">https://www.ci.eureka.ca.gov/</a></p>
<p>City of Arcata Wed, October 5, 2022 at 6 p.m. 736 F Street <a href="https://www.cityofarcata.org">https://www.cityofarcata.org</a></p>	<p>Humboldt Transit Authority Wed, October 5, 2022 at 9 a.m. 133 V Street, Eureka <a href="https://hta.org/board-meetings/">hta.org/board-meetings/</a></p>
<p>City of Trinidad October 11, 2022 at 6 p.m. 409 Trinity Street <a href="https://www.trinidad.ca.gov">https://www.trinidad.ca.gov</a></p>	<p>City of Fortuna Mon, October 17, 2022 at 6 p.m. 621 11<sup>th</sup> Street <a href="https://www.friendlyfortuna.com/">https://www.friendlyfortuna.com/</a></p>
<p>City of Ferndale Wed, October 19, 2022 at 7 p.m. 834 Main Street <a href="https://ci.ferndale.ca.us">https://ci.ferndale.ca.us</a></p>	<p>County of Humboldt Tues, October 25, 2022 at 9:30 a.m. 825 Fifth Street <a href="https://humboldt.legistar.com">https://humboldt.legistar.com</a></p>

Humboldt County Association of Governments  
Thurs, November 17, 2022 at 4 p.m.  
Eureka Council Chambers; <http://www.hcaog.net/>

The Humboldt County Association of Governments' (HCAOG) Social Services Transportation Advisory Council would like to hear from you!



## ***¿Cumple con sus necesidades el transporte público local?***

**Favor de darnos sus opiniones al asistir a una Audiencia Pública sobre Necesidades Insatisfechas en el Transporte. O proveer su comentario a la HCAOG por 31 de diciembre de 2022 [bit.ly/humboldttransit](https://bit.ly/humboldttransit)**

**City of Rio Dell**  
lun, Oct 4, 2022 a 6:30 p.m.  
675 Wildwood Avenue  
[cityofriodell.ca.gov](http://cityofriodell.ca.gov)

**City of Eureka**  
mart, Oct. 4, 2022 a 6 p.m.  
531 K Street  
[www.ci.eureka.ca.gov/](http://www.ci.eureka.ca.gov/)

**City of Arcata**  
miér, Oct 5, 2022 a 6 p.m.  
736 F Street  
[cityofarcata.org](http://cityofarcata.org)

**Humboldt Transit Authority**  
miér, Oct. 5, 2022 a 9 a.m  
133 V Street  
[hta.org/board-meetings/](http://hta.org/board-meetings/)

**City of Ferndale**  
miér, Oct 19, 2022 a 7 p.m.  
834 Main Street  
[ci.ferndale.ca.us](http://ci.ferndale.ca.us)

**City of Trinidad**  
mart, Oct. 11, 2022 a 6 p.m.  
409 Trinity Street  
[trinidad.ca.gov](http://trinidad.ca.gov)

**City of Fortuna**  
lun, Oct 17, 2022 a 6 p.m.  
621 11<sup>th</sup> Street  
[friendlyfortuna.gov](http://friendlyfortuna.gov)



**County of Humboldt**  
mart, Oct. 25, 2022 a 9:30 a.m.  
825 Fifth Street  
[humboldt.legistar.com](http://humboldt.legistar.com)

**Humboldt County Association of Governments (HCAOG)**  
juev, Nov. 17, 2022 a 4 p.m.  
531 K Street  
[www.hcaog.net](http://www.hcaog.net)



Si no puede asistir a una audiencia, pero desea enviar sus comentarios, por favor contacte con HCAOG at **707-444-8208** o [stephen.luther@hcaog.net](mailto:stephen.luther@hcaog.net)



# STAFF REPORT – CITY COUNCIL MEETING

October 05, 2022

**TO:** Honorable Mayor and City Council Members

**FROM:** Netra Khatri, City Engineer

**PREPARER:** Netra Khatri, City Engineer

**DATE:** September 14, 2022

**TITLE:** **Waive Immaterial and Minor Bid Discrepancies and Award a Construction Contract for the Phase 1 of the Arcata Wastewater Treatment Facilities Improvement Project to Wahlund Construction, Inc., in the Amount of \$51,495,000.57, Authorize the City Engineer to Increase the Contract Amount by up to \$3,089,700.03 (6 Percent, for a Total of \$54,584,700.60) to Allow for Any Unforeseen Contingencies and Additional Work as Necessary; and Authorize the City Manager to Execute All Applicable Documents.**

## RECOMMENDATION:

It is recommended that the Council:

- 1) Waive immaterial and minor bid discrepancies and award a Construction Contract for the Phase 1 of the Arcata Wastewater Treatment Facilities Improvement Project to Wahlund Construction, Inc., in the amount of \$51,495,000.57;
- 2) Authorize the City Engineer to increase the Contract amount by up to \$3,089,700.03 (6 percent, for a total of \$54,584,700.60) to allow for any unforeseen contingencies and additional work as necessary; and
- 3) Authorize the City Manager to execute all applicable documents.

## INTRODUCTION:

The City of Arcata has been working diligently to prepare plans for needed rehabilitation of the Wastewater Treatment Plant. The total project cost for Phase 1 of the improvements is approximately \$54 million. The project will be funded via a combination of the City's Wastewater Fund, and the State Water Resources Control Board Clean Water State Revolving Fund (SRF) program. The City applied for SRF funding in 2019 and is on track to execute a contract for the funding before the start of construction.

## BACKGROUND:

The City of Arcata (City) Wastewater Treatment Facility (AWTF) currently discharges treated wastewater to Humboldt Bay in conjunction with enhanced treatment occurring in the Arcata Marsh Wildlife Sanctuary (AMWS). Discharges are regulated by the North Coast Regional Water Quality Control Board (RWQCB) through the application of the AWTF National Pollutant Discharge

Elimination System (NPDES) permit, which includes requirements for operation and maintenance, treatment standards, monitoring, discharge location, and water quality standards. In the 2012 AWTF NPDES permit, the RWQCB included requirements to make changes to the treatment system due to compliance problems associated with discharged water quality. The intent of the required changes is to improve the wastewater treatment process, protect beneficial uses, and reduce chemical disinfection usage. The City completed a Facilities Plan in 2017 for the AWTF that developed four potential options for upgrading the AWTF. Following a number of public meetings, the City Council chose to pursue an AWTF upgrade project option that retained the natural treatment systems of the current AWTF. Effective December 1, 2019, the RWQCB adopted and issued the City's latest NPDES permit for wastewater discharge. Concurrently, the RWQCB issued the City a Time Schedule Order with compliance schedules to complete the AWTF Facilities Upgrade Project to address ongoing discharge violations and treatment deficiencies at the AWTF, which mostly arise from new, stricter water quality standards and byproducts associated with chlorine disinfection. Phase 1 of the AWTF Upgrade Project will address these immediate needs by replacing aging treatment plant infrastructure and installing a new UV disinfection system.

### **BID EVALUATION DISCUSSION:**

Two sealed bids were received from contractors, as follows:

Table 1: Summary of Bids Received

No.	Name of the Contractor	Total
1	Wahlund Construction Inc.	\$ 51,495,000.57
2	North Coast Constructors (JVP: Myers & Sons Construction and McCullough Construction, Inc.)	\$ 62,888,000.00

*Please see Attachment A, an itemized bid tabulation sheet, for a summary of bids received.*

Sealed bids were received until 11:00 am on August 18, 2022. Following the opening of bids, the bids were evaluated for completeness, consistency, and the contract requirements. Both the bids are higher than the Engineers estimate; North Coast Constructors' (NCC) bid is 58% higher than the Engineers estimate, and Wahlund Construction Inc.'s (WCI) bid is 30 % higher than the Engineers estimate. A summary of the bid evaluation for the apparent low bidder is included as Attachment B. After the bid opening, the City received a bid protest document from NCC challenging the responsiveness of WCI's bid, followed by a response to the bid protest from WCI. Bid protest documents are included as Attachment C. Staff and the City's project engineer, Carollo Engineers, reviewed the protest and believe WCI's bid is responsive and that minor discrepancies between the bid and bid specifications are immaterial. Under state law, the City has discretion to determine the responsiveness of a bid to the bid solicitation and to waive any discrepancies it deems immaterial. (This principle was also stated in the bid documents at Section 00200-19.01.A, "Owner also reserves the right to waive all minor Bid informalities not involving price time, or changes in the Work.")

NCC's bid protest mainly outlines the three items listed below in italics:

- 1. WCI did not meet the project requirement to list a Completed Project that Was At Least 80 Percent (80%) of the Value of This Project.*

The intent behind the Qualifications section of the bid is to determine that the contractor has sufficient experience performing work on projects at and related to wastewater treatment plants. The projects history provided by WCI demonstrate that experience.

WCI submitted several projects as demonstration of their qualification to perform the work outlined in this subject project. Of the projects listed within the last five (5) years, the "College of the

Redwoods” project cost is listed at \$30,787,981.49. This is 77.5% of the Engineers Estimate for the subject project. Other projects listed to be completed within the last 5 years are in smaller valuation amounts but are water and wastewater related projects. It is noted that WCI didn’t meet the strict requirement of listing a completed project at 80%. However, WCI demonstrated sufficient experience with this type of work. The 2.5% discrepancy of project value is therefore immaterial.

- 2. *WCI did not meet the project requirement to List Projects Showing Proper Qualifications For The Electrical Work on the Project.*

This section of the bid documents is intended to review qualifications for an electrical subcontractor business. WCI is self-performing electrical work, under their own C-10 license, therefore this section then refers to their overall qualifications.

- 3. *WCI did not meet the project requirement as it Lists a Demobilization Amount That is Less Than Permitted by the Bid Documents.*

The intent of this requirement is to prevent front loading of the contract and can be corrected during the contract execution through the establishment of a Schedule of Values/Payment schedule, so the discrepancy is deemed minor.

As long as WCI maintains the overall bid price, the City has the right to proceed with the bid award, per Section 00200-19.01.A of the Contract Documents.

If a contract is presently awarded, work will commence on or after October 24, 2022, and should be completed approximately 36 months after starting. Prior to issuing a Notice to Proceed to the contractor, public notifications will be made by the City and the Contractor to potentially impacted residents to inform them of construction activities and the potential for traffic and trail impacts (which will be minimized to the extent possible).

**ENVIRONMENTAL REVIEW (CEQA):**

City staff completed the required environmental review documents per both State (CEQA) and Federal (NEPA) requirements. The Notice of Determination was filed in December 2020 (State Clearinghouse 2020100483). Additionally, the California Coastal Commission approved a Coastal Development Permit for the project at their September 2022 hearing.

**BUDGET/FISCAL IMPACT:**

The cost associated with this construction contract is eligible for reimbursement through SRF. Currently it is anticipated that the primary source of funding for this project will be a SRF grant and City sewer funds. The contract cost proposal amount is within the budget allocation for the 2022-2023 Fiscal Year. This project is budgeted as follows:

WWTP Construction      \$ 51,495,000.57                      Account 662-60-67-57601

**ATTACHMENTS:**

- Bid Summary- Attachment A (PDF)
- Bid Protest Documents- Attachment C (PDF)
- Bid Evaluation Letters- Attachment B (PDF)

# ATTACHMENT A

<b>Bid Summary</b>	
<b>Agency:</b> City of Arcata	
<b>Project:</b> Phase 1 - Arcata WWTF Improvement Project	
<b>Bid Opening Date:</b> Thursday, August 18, 2022	11:00 AM

BASE BID ITEM INFORMATION				Wahlund Construction	North Coast Constructors (JVP: Myers & Sons Construction and McCullough Construction, Inc.)
Item No.	Description	Quantity	Unit	Price In Figures (\$)	Price In Figures (\$)
1.A.	Assignment of the agreements for prepurchased Ultraviolet (UV) Light Disinfection Equipment and Services per Specification Section 11289 and the supplier proposal attached to that section. Price is based on Trojan Proposal of \$1,338,400 plus added sales tax of \$96,393.57 for a total of \$1,434,793.57. The City has paid two invoices for a total of \$602,280, and the remaining balance is \$832,513.57	1	LS	\$ 832,513.57	\$ 832,513.57
1.B.	Installation of UV Light Disinfection Equipment and Services per Specification Section 11289 , including modifications to the existing Chlorine Contact Basin that has been modified to UV channels, UV Electrical Building, and new construction including all architectural, structural, mechanical / HVAC, electrical, and instrumentation, and miscellaneous work associated with Process Area 16 Contract Documents.	1	LS	\$ 1,190,000.00	\$ 2,000,000.00
1.C.	Mobilization (Limited to 3 percent of Lump Sum Bid Total)	1	LS	\$ 1,310,487.00	\$ 1,600,000.00
1.D.	Temporary Excavation Support including sheeting, shoring, bracing, or equivalent method for the protection of life and limb in trenches and open excavation.	1	LS	\$ 320,000.00	\$ 650,000.00
1.E.	Demolition including all site, process area, and miscellaneous Demolition work associated with the Contract Documents.	1	LS	\$ 700,000.00	\$ 5,000,000.00
1.F.	Paving and grading including all Civil and miscellaneous work associated with the Contract Documents.	1	LS	\$ 1,022,000.00	\$ 875,000.00
1.G.	Yard piping including all Civil and miscellaneous work associated with the Contract Documents.	1	LS	\$ 4,300,000.00	\$ 4,800,000.00
1.H.	Yard structures and miscellaneous yard work including all miscellaneous Civil and associated with the Contract Documents.	1	LS	\$ 200,000.00	\$ 20,000.00
1.I.	Modifications to the existing Headworks, and construction of new headworks facilities, including all structural, mechanical, electrical, and instrumentation, and miscellaneous work associated with Process Area 10 Contract Documents.	1	LS	\$ 9,030,000.00	\$ 8,500,000.00
1.J.	Modifications to the existing Primary Clarifier No. 2 and Primary Sludge/Scum pumping, and new construction including all structural, mechanical, electrical, and instrumentation, and miscellaneous work associated with Process Area 11 Contract Documents.	1	LS	\$ 3,093,000.00	\$ 2,620,000.00
1.K.	Modifications and new construction to the existing Oxidation Ponds, Pond 2 aerators, Pond 2 Outlet structures, Pond Pump Station, and Pump Station 1, Emergency Pond Pump Station rehabilitation and modifications, pond transfer structures, and new construction including all structural, mechanical, electrical, and instrumentation, and miscellaneous work associated with Process Area 14 Contract Documents.	1	LS	\$ 3,880,000.00	\$ 4,000,000.00
1.L.	Modifications to the existing Chlorine Contact Basin, Sump Pump Pump Station, Chlorine Building, and new construction including all architectural, structural, mechanical / HVAC, electrical, and instrumentation, and miscellaneous work associated with Process Area 16/17 Contract Documents.	1	LS	\$ 2,510,000.00	\$ 2,500,000.00
1.M.	Modifications to the existing Enhancement Wetlands including existing Enhancement Wetlands (Hauser) Pump Station, new Allen Bypass Structures, new Outfall 003, Civil, Mechanical, and Piping, new wetland Baffles, and new construction including all structural, mechanical, electrical, and instrumentation, and miscellaneous work associated with Process Area 18 Contract Documents.	1	LS	\$ 1,678,000.00	\$ 1,800,000.00
1.N.	Modifications to the existing Generator Building, and new construction including all architectural, structural, and mechanical / HVAC, electrical, and instrumentation, and miscellaneous work associated with Process Area 26 Contract Documents.	1	LS	\$ 1,204,000.00	\$ 175,000.00
1.O.	Construction of the new Electrical Building including, all architectural, structural, mechanical / HVAC, electrical, and instrumentation, standby generator, and all miscellaneous work associated with Process Area 27 Contract Documents.	1	LS	\$ 6,056,000.00	\$ 3,250,000.00
1.P.	Electrical demolition associated with general electrical and power distribution, transformers, cable, conduit and all miscellaneous work associated with the Contract Documents.	1	LS	\$ 140,000.00	\$ 200,000.00
1.Q.	Site Electrical, Electrical Power, and Standby Generator Improvements including: Modification of the existing and construction of the New Electrical Power Distribution including new Utility service coordination and construction, yard electrical including duct bank, modification to existing electrical equipment, and general electrical and power distribution, transformers, cable, conduit, lighting, and all miscellaneous electrical work and associated electrical construction,	1	LS	\$ 10,600,000.00	\$ 20,500,000.00
1.R.	Instrumentation and Control Improvements including: Modification of the existing and construction of the New Instrumentation System including new PLC networks including hardware, software and programming, new SCADA system including hardware, software and programming, new fiber optic network, new control network, new field devices, all installation details, and general instrumentation, and all miscellaneous instrumentation work and associated instrumentation construction.	1	LS	\$ 2,500,000.00	\$ 300,000.00
1.S.	Commissioning and Start-up as defined in the Contract Documents, as required for and by the equipment supplied, and as required for a complete operation test and start-up.	1	LS	\$ 135,000.00	\$ 115,010.00
1.T.	Demobilization	1	LS	\$ 200,000.00	\$ 1,850,000.00
1.U.	Tidal Wave and Earthquake Insurance	1	LS	\$ 503,000.00	\$ 1,000,000.00
1.V.	Environmental Mitigation and Monitoring Requirements	1	LS	\$ 91,000.00	\$ 300,476.43
<b>Total Base Bid (Calculated based on submitted lump sum price for each item.)</b>				<b>\$ 51,495,000.57</b>	<b>\$ 62,888,000.00</b>
<b>Total</b>				<b>\$ 51,495,000.57</b>	<b>\$ 62,888,000.00</b>

XXX Total as submitted by bidders

Attachment: Bid Summary- Attachment A (4000 : Construction Contract Award for Phase I - AWTF Improvements Project to Wahlund)

August 23, 2022

**VIA EMAIL - [CITYMGR@CITYOFCARCATA.ORG](mailto:CITYMGR@CITYOFCARCATA.ORG) - AND U.S. MAIL**

Karen Diemer, City Manager  
CITY OF ARCATA  
736 F. Street  
Arcata, CA 95521

**Re: City of Arcata  
Arcata Wastewater Treatment Facilities Improvements Phase 1 Project  
Project Number 67-004**

Dear Ms. Diemer:

My office represents North Coast Constructors, a joint venture between Myers & Sons Construction, LLC, and McCullough Construction (“NCC”), the lowest responsive, responsible bidder on the City of Arcata Wastewater Treatment Facilities Improvements Phase 1 Project (the “Project”). Please consider this letter a protest of the bid submitted by Wahlund Construction, Inc. (“WCI”).

**WCI’s Bid Is Non-Responsive Because It Does Not Meet the Bid Requirements**

It is indisputable that bidders are required to comply “with the literal language of the bid request.” (*Great West Contractors, Inc. v. Irvine Unified School Dist.* (2010) 187 Cal.App.4th 1425, 1456; *Konica Business Machines U.S.A. Inc. v. Regents of University of California* (1988) 206 Cal.App.3d 449, 457 [substantial compliance is an inappropriate standard because it “leaves bidders in the unfair position of having to guess what will satisfy the [agency’s] needs.”]) Thus, a bidder is required to do everything that is asked of it in the bidding specifications. (*MCM Const., Inc. v. City & County of San Francisco* (1998) 66 Cal.App.4th 359, 378 [bidders failure to set forth dollar amounts of work to be performed by subcontractors, as required by bidding specifications, is a deviation which cannot be waived]; *Ghilotti Construction Co. v. Richmond* (1996) 45 Cal. App. 4th 897, 911 [bid which exceeded subcontracting limit by 5.5% constitutes a deviation]; *Konica, supra*, 206 Cal.App.3d 449, 453 [bid for copy machines which did not strictly comply with page per minute or zoom magnification specifications was a deviation which could not be waived]; *Taylor Bus Service, Inc. v. San Diego Bd. of Education* (1987) 195 Cal.App.3d 1331, 1340 [bus company’s bid which listed a type of insurance, which differed from exact call of bid, but which arguably offered better protection, was nonetheless nonresponsive].)

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)



**1. WCI Failed to Properly Complete Document 00451A, Because It Failed to List a Completed Project that Was At Least 80 Percent (80%) of the Value of This Project.**

Article 3 of the Instruction to Bidders, which is Section 00 of the bid documents, provides that Bidders are required to submit the qualification documents called for in Article 3, including, but not limited to the Document 00451A “Qualification Statement” and Document 00451B “Electrical Subcontractors Qualification Statement” (Article 3.01 (A)(1)-(2).)

Document 00451A, provides in Article 9.04 that a Bidder is required to

List a minimum of 3 and a maximum of 6 projects completed in the last 5 years in Schedule B and provide indicated information to demonstrate the Business’s experience with Water/Wastewater Treatment facility projects, similar in type and cost of construction. Bidder **must** demonstrate successful completion during the last 5 years of at least 3 water and/or wastewater treatment facility project comparable in nature and scope to this project and one project with a dollar value of at least 80 percent of the value bid for this project.

Here WCI’s bid is \$51,495,000.57, eighty percent (80%) of that is \$41,196,000.46. Thus, per the mandatory requirements of Article 9.04, WCI **must** list at least one comparable completed project within the last five (5) years with a value of at least \$41,196,000.46. WCI failed to list any project with a value anywhere near \$41,196,000.46. Most of the completed projects listed by WCI are replacement of sewer and water pipelines and range between \$2 to \$4 million. Not only do those projects not come near the value of this Project, they also are not similar to construction of a “Water/Wastewater Treatment facility” and thus do not meet the requirements of Article 9.04.

The one completed project within the past five years that appears to be related to construction of a Water/Wastewater treatment facility (City of Fort Bragg) is less than thirty percent (30%) of the value of this Project. Given WCI’s failure to list a comparable completed project, within the last five years, and with a value of at least 80 percent (80%) of the value of its bid on this Project, WCI’s bid is non-responsive and must be rejected.

**2. WCI’s Bid Is Also Non-Responsive Because It Also Failed to List Projects Showing Proper Qualifications For The Electrical Work on the Project.**

In addition to requiring that the bidder list similar projects it had completed as a general contractor that are of the similar size and complexity, the bid documents also required that for the electrical portion of the project the bidder:

List a minimum of 2 and a maximum of 4 projects completed in the last 5 years in Schedule B and provide indicated information to demonstrate the Business’s experience with Water/Wastewater

Treatment facility projects, similar in type and cost of construction. Bidder **must** demonstrate successful completion during the last 5 year of at least 2 water and/or wastewater treatment facility project comparable in nature and scope to this project and one project with a dollar value of at least 80 percent of the value bid for this project.

(Document 00451B, Article 9.04, (bold added).)

Again WCI's bid is non-responsive as it failed to provide the mandatory information requested by the bid documents. The electrical portion of WCI's bid is \$10,600,000. Eighty percent (80%) of that is \$8,480,000. WCI, however, only listed one completed electrical project (Humboldt Bay Municipal Water District) which had a total contract value of \$149,439—substantially less than the \$8,480,000 required by the bid documents. Moreover, the project it listed was installing a Tesla backup battery, which is not similar in type to construction of a wastewater treatment plant. Not only did WCI not provide a project that met the eighty percent (80%) threshold, it also failed to list two completed projects in the last five years—it only listed the one.

Moreover, Document 00451B, Article 9.03, further provides “Bidder must demonstrate a minimum of 5 years of experience in projects similar in nature and scope to this project.” As shown above, WCI has failed to list the required project experience, likely because WCI did not have an electrical license until less than two years ago. WCI did not have a C-10 RME until January of 2021, which is less than the 5 years required by the contract documents. (See CSLB Personnel List enclosed herewith.)

WCI's bid is completely non-responsive because it does not comply with the bid specifications as it leaves out information that is expressly requested by the bid documents. Because WCI's bid does not comply with the bid specifications, it must be rejected as non-responsive.

### **3. WCI's Bid Is Non-Responsive As it Lists a Demobilization Amount That is Less Than Permitted by the Bid Documents.**

Project Specification Section 01220, subdivision 1.03 (T)(2)(a), provides that the demobilization line item “**shall** not be less than 3 percent of Contract Price.” The word “shall” as used in this provision is mandatory and failure to comply renders a bid non-responsive.

For bid item 1 T., WCI put \$200,000 for demobilization. WCI's bid was for \$51,495,000.57, three percent (3%) of which is \$1,538,850.02<sup>1</sup>. WCI's \$200,000 demobilization bid item is less than .38% of the Contract Price, and thus in clear violation of the mandatory requirements of the bid documents. Accordingly, WCI's bid must be deemed non-responsive because its bid fails to include the required demobilization percentage. (*Konica Business Machines U.S.A. Inc. v. Regents of University of California* (1988) 206 Cal.App.3d 449, 456 [“the letting of public contracts universally receives close judicial scrutiny and contracts awarded without strict

<sup>1</sup> This amount is calculated by taking the Contract Price of \$51,495,000.57, minus the \$200,000 demobilization, times 3%.

compliance with bidding requirements will be set aside”].) It cannot be disputed that WCI’s bid does not comply with the bid specifications.

### **WCI’s Materially Non-Responsive Bid Must Be Rejected.**

California law mandates that a public entity must competitively bid public works contracts and award the contract to the lowest responsible bidder that submits a responsive bid. (*MCM Construction, Inc. v. City and County of San Francisco* (1998) 66 Cal.App.4th 359, 368; *Associated Builders & Contractors, Inc. v. Metropolitan Water Dist.* (1997) 59 Cal.App.4th 1503, 1507 [“lowest responsible bidder does not mean lowest cost bidder”].) These requirements are strictly enforced to protect taxpayers by inviting competition, which helps “guard against favoritism, improvidence, extravagance, fraud and corruption,” and serves “to secure the best work or supplies at the lowest price practicable.” (*Domar Electric, Inc. v. City of Los Angeles* (1994) 9 Cal.4th 161, 173.)

As outlined above, WCI’s bid is non-responsive as it—in multiple locations—fails to comply with the bid specifications. Thus, the law mandates that the City reject WCI’s bid.

### **The City Cannot Waive The Issues with WCI’s Bid, Because WCI Had an Unfair Advantage.**

While a public entity may waive minor or inconsequential irregularities in a bid, bids that differ materially from the bid specifications must be rejected. (*DeSilva Gates Construction, LP v. Department of Transportation* (2015) 242 Cal.App.4th 1409, 1422; *Ghilotti Construction Co. v. Richmond* (1996) 45 Cal. App. 4th 897, 904 (“*Ghilotti*”).) Typically, the material terms of a bid which are not waivable are those that affect price, quantity, quality, or delivery, and those terms that the bid package clearly identifies as mandatory. (*Konica, supra*, 206 Cal.App.3d at p. 454-45; *Ghilotti, supra*, 45 Cal.App.4th at p. 906-07; *Valley Crest Landscape, Inc. v. City Council* (1996) 41 Cal.App.4th 1432, 1442 (“*Valley*”).) If a variance is material, the bid must be rejected. A variance is material if it is capable of facilitating corruption or extravagance, or likely to affect the amount of the bids or the response of potential bidders. (*Ghilotti Construction Co. v. Richmond* (1996) 45 Cal. App. 4th 897, 904.)

Additionally, if a variance in a bid provides the bidder with the ability to withdraw their bid, without losing their bid bond, the variance cannot be waived. (See *MCM Const., Inc.*, 66 Cal.App.4th at 377 [failure to include required subcontractor information in the bid is “in the nature of a typographical or arithmetical error”]; see also *Valley Crest Landscape, Inc.*, 41 Cal.App.4th at 1442 [the bidder “had an unfair advantage because it could have withdrawn its bid”].)

#### **1. WCI’s Variance In Bid Item 1. T Provided It the Right to Withdraw its Bid, So The Variance Cannot Be Waived.**

Public Contract Code section 5103 allows a bidder to withdraw its bid without forfeiting its bid bond when a mistake makes the bid materially different than the bidder intended it to be. California case law establishes that a bidder’s ability to withdraw its bid without forfeiting its

bond is a distinct “advantage not available to other bidders.” (*MCM Const., Inc. v. City & County of San Francisco* (1998) 66 Cal.App.4th 359, 377 .) The fact that a bidder does “not seek such relief is of no moment.” ( *Valley Crest Landscape, Inc. v. City Council* (1996) 41 Cal.App.4th 1432, 1442 .) “The key point is that such relief was available.” (*Id.* [emphasis added].)

Here WCI could take the position that it intended to list a number that was within the required 3% of the bid documents for demobilization, but failed to do so due to a mistake in filling out the bid. For example, it could say it intended to list \$2,000,000, which would be within the 3% requirement of the bid, instead of \$200,000. WCI’s claim would clearly be a mistake in filling out the bid under Section 5103. Thus, WCI had the opportunity to seek relief under Public Contract Code Section 5103. The opportunity by itself constitutes an unfair advantage as a matter of law.

For example, in the *Valley Crest* case, the low bidder submitted a bid that violated a 50% self-performance requirement. After the second low bidder protested, the City contacted the low bidder regarding the deviation and allowed the bidder to submit additional information. In response, the low bidder submitted a revised list of subcontractor percentages showing compliance with the 50% self-performance requirement. The City then awarded the contract to the low bidder. The Court ultimately invalidated the award to the low bidder because it concluded that the low bidder obtained an unfair advantage over other bidders because it could have withdrawn its bid without forfeiting its bid bond. Therefore, the City could not waive the variance.

Here, WCI has the same unfair advantage. Specifically, by failing to include a demobilization number that is at not less than 3% of the bid price, WCI now has the opportunity to seek relief under Public Contract Code section 5103 to avoid forfeiting its bond. The ability to do so is a distinct “advantage not available to other bidders” and the City is therefore “without power to waive the deviation.” (See *MCM Const., Inc.*, 66 Cal.App.4th at 377.) The fact that WCI does “not seek such relief is of no moment.” (*Valley Crest Landscape, Inc.*, 41 Cal.App.4th at 1442.) “The key point is that such relief was available.” (*Id.*)

Additionally, the City cannot waive the other irregularities in WCI’s bid either. The specifications mandated the bidders list similar projects, and similar projects with a mandatory minimum value. WCI failed to meet that specification. If the City were to waive the failure by WCI to properly fill out the bid—which it cannot—it would be a change in the mandatory bid specifications, and could have impacted how the project was bid. For example, a contractor (potential bidder) that did not bid the project could argue that it would have bid the project if it had known that the required experience was optional and not actually required. Therefore, a waiver of the lack of a bidder who failed to list the required project experience could affect the response of potential bidders. Accordingly, it is material and cannot be waived.

## Conclusion

NCC is the lowest, responsive, responsible bidder and, thus, the City is required to award it the Project. NCC properly filled out the bid documents and, unlike WCI, it provided all information

required by the bid documents. WCI's bid cannot be accepted since it clearly failed to provide all mandatory information requested by the bid documents. Therefore, the City must reject WCI's bid as non-responsive.

Very truly yours,

DOWNEY BRAND LLP



Matthew J. Weber

MJW:bs

Enclosures

cc: Wahlund Construction, Inc.

- [Bret@wahlcon.com](mailto:Bret@wahlcon.com)

- [bids@wahlcon.com](mailto:bids@wahlcon.com)

# CSLB PERSONNEL LIST

## ▼ Contractor's License Detail for License # 678993

**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 comment disclosure is restricted by law (B&P 712# 4). If this entity is subject to public complaint disclosure click on link that will allow you to view more information. Click here for a definition of disclosable actions.
- ▶ Only construction related civil judgments reported to CSLB are disclosed (P&P 777# 17).
- ▶ Arbitration are not listed unless the contractor fails to comply with the terms.
- ▶ Due to workload, there may be relevant information that has not yet been entered into the contractor's profile.

Data current as of 8/23/2022 8:11:14 AM

### Employer Information

WAHLUND CONSTRUCTION INC  
 P O BOX 6455  
 EUREKA, CA 95502  
 Business Phone Number:(707) 269-0193

**Entity** Corporation  
**Issue Date** 10/18/1993  
**Reissue Date** 09/17/1996  
**Expire Date** 09/30/2022

### License Status

This license is current and active.

All information below should be reviewed.

### Additional Status

- ▶ The renewal application has been received but not yet processed.

### Classification

- ▶ A - GENERAL ENGINEERING
- ▶ B - GENERAL BUILDING
- ▶ C22 - ASBESTOS ABATEMENT (Check DOSH Asbestos Registration)
- ▶ C10 - ELECTRICAL

### Certifications

- ▶ ASB - ASBESTOS (Check DOSH Asbestos Registration)
- ▶ HAZ - HAZARDOUS SUBSTANCES REMOVAL

### Home Information

This license filed a Contractor's Bond with CONTRACTORS CASUALTY AND SURETY COMPANY OF AMERICA.

**Bond Number:** 106488942

**Bond Amount:** \$15,000

**Effective Date:** 10/05/2016

Contractor's Bond History

**Bond of Qualifying Individual**

- ▶ The qualifying individual, FRANK MICHAE WAHLUND certifies that he/she owns 10 percent or more of the voting stock/membership interest of this company therefore, the Bond of Qualifying Individual is not required.  
**Effective Date:** 07/17/2026
- ▶ This license filed Bond of Qualifying Individual number **100667922** for KYLE LARSON BROWN in the amount of **\$12,500** with AMERICAN CONTRACTORS SURETY COMPANY.  
**Effective Date:** 06/29/2022

**Workers Compensation**

This license has workers compensation insurance with the STATE COMPENSATION INSURANCE FUND

**Policy Number:** 0147113

**Effective Date:** 10/01/2015

**Expire Date:** 10/01/2022

Workers Compensation History

**Minimum Information**

- ▶ 06/15/2016 - DOSH REGISTRATION VERIFIED FOR C22

**Other**

- ▶ Personnel listed on this license (current or disassociated) are listed on other licenses.



Home | Online Services | License Detail | Personnel List

## Contractor's License Detail (Personnel List)

**Contractor License #** 678993  
**Contractor Name** WAHLUND CONSTRUCTION INC

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

### Licenses Currently Associated With

- Name** KENNETH MICHAEL WAHLUND  
**Title** RMO / CEO / PRES  
**Association Date** 10/18/1993  
**Classification** A  
**Additional Classification** There are additional classifications that can be viewed by selecting the link.
- Name** KELLY ANN WAHLUND  
**Title** OFFICER  
**Association Date** 09/17/1996
- Name** RYAN THOMAS WAHLUND  
**Title** OFFICER  
**Association Date** 06/02/2022
- Name** KYLE LARSON BROWN  
**Title** RME  
**Association Date** 07/26/2022  
**Classification** C10

### Licenses No Longer Associated With

- Name** DANIEL JARRETT MITCHELL  
**Title** RMO  
**Association Date** 01/13/2021  
**Disassociation Date** 07/26/2022  
**Classification** C10

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# WAHLUND CONSTRUCTION, INC., BID

Bids:

Will complete the Work in accordance with the Contract Documents for the following lump sum:

	Description	Price in Figures (\$)
	Assignment of the agreements for prepurchased Ultraviolet (UV) Light Disinfection Equipment and Services per Specification Section 11289 and the supplier proposal attached to that section. Price is based on Trojan Proposal of \$ 1,338,400 plus added sales tax of \$ 96,393.57 for a total of \$ 1,434,793.57. The City has paid two invoices for a total of \$ 602,280, and the remaining balance is \$ 832,513.57	\$ 832,513.57
1. B.	Installation of UV Light Disinfection Equipment and Services per Specification Section 11289 , including modifications to the existing Chlorine Contact Basin that has been modified to UV channels, UV Electrical Building, and new construction including all architectural, structural, mechanical / HVAC, electrical, and instrumentation, and miscellaneous work associated with Process Area 16 Contract Documents.	\$ <u>1,196,000</u>
1. C.	Mobilization (Limited to 3 percent of Lump Sum Bid Total)	\$ <u>1,310,487</u>
1. D.	Temporary Excavation Support including sheeting, shoring, bracing, or equivalent method for the protection of life and limb in trenches and open excavation.	\$ <u>320,000</u>
E	Demolition including all site, process area, and miscellaneous Demolition work associated with the Contract Documents.	\$ <u>100,000</u>
F.	Paving and grading including all Civil and miscellaneous work associated with the Contract Documents.	\$ <u>1,022,000</u>
G.	Yard piping including all Civil and miscellaneous work associated with the Contract Documents.	\$ <u>4,300,000</u>
H.	Yard structures and miscellaneous yard work including all miscellaneous Civil and associated with the Contract Documents.	\$ <u>200,000</u>
	Modifications to the existing Headworks, and construction of new headworks facilities, including all structural, mechanical, electrical, and instrumentation, and miscellaneous work associated with Process Area 10 Contract Documents.	\$ <u>9,030,000</u>
	Modifications to the existing Primary Clarifier No. 2 and Primary Sludge/Scum pumping, and new construction including all structural, mechanical, electrical, and instrumentation, and miscellaneous work associated with Process Area 11 Contract Documents.	\$ <u>3,093,000</u>
	Modifications and new construction to the existing Oxidation Ponds, Pond 2 aerators, Pond 2 Outlet structures, Pond Pump Station, and Pump Station 1, Emergency Pond Pump Station	\$ <u>3,880,000</u>

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)

	Description	Price in Figures (\$)
	rehabilitation and modifications, pond transfer structures, and new construction including all structural, mechanical, electrical, and instrumentation, and miscellaneous work associated with Process Area 14 Contract Documents.	
1. L.	Modifications to the existing Chlorine Contact Basin, Sump Pump Pump Station, Chlorine Building, and new construction including all architectural, structural, mechanical / HVAC, electrical, and instrumentation, and miscellaneous work associated with Process Area 16/17 Contract Documents.	\$ <u>2,510,000</u>
1. M.	Modifications to the existing Enhancement Wetlands including existing Enhancement Wetlands (Hauser) Pump Station, new Allen Bypass Structures, new Outfall 003, Civil, Mechanical, and Piping, new wetland Baffles, and new construction including all structural, mechanical, electrical, and instrumentation, and miscellaneous work associated with Process Area 18 Contract Documents.	\$ <u>1,678,000</u>
1. N.	Modifications to the existing Generator Building, and new construction including all architectural, structural, and mechanical / HVAC, electrical, and instrumentation, and miscellaneous work associated with Process Area 26 Contract Documents.	\$ <u>1,204,000</u>
1. O.	Construction of the new Electrical Building including, all architectural, structural, mechanical / HVAC, electrical, and instrumentation, standby generator, and all miscellaneous work associated with Process Area 27 Contract Documents.	\$ <u>6,056,000</u>
1. P.	Electrical demolition associated with general electrical and power distribution, transformers, cable, conduit and all miscellaneous work associated with the Contract Documents.	\$ <u>140,000</u>
1. Q.	Site Electrical, Electrical Power, and Standby Generator Improvements including: Modification of the existing and construction of the New Electrical Power Distribution including new Utility service coordination and construction, yard electrical including duct bank, modification to existing electrical equipment, and general electrical and power distribution, transformers, cable, conduit, lighting, and all miscellaneous electrical work and associated electrical construction,	\$ <u>19,600,000</u>
1. R.	Instrumentation and Control Improvements including: Modification of the existing and construction of the New Instrumentation System including new PLC networks including hardware, software and programming, new SCADA system including hardware, software and programming, new fiber optic network, new control network, new field devices, all installation details, and general instrumentation, and all miscellaneous instrumentation work and associated instrumentation construction.	\$ <u>2,500,000</u>

	Price in Figures (\$)
Commissioning and Start-up as defined in the Contract Documents, as required for and by the equipment supplied, and as required for a complete operation test and start-up.	\$ <u>135,000</u>
Demobilization	\$ <u>204,000</u>
U. Tidal Wave and Earthquake Insurance	\$ <u>503,000</u>
1. V. Environmental Mitigation and Monitoring Requirements	\$ <u>91,000</u> <sup>AD6</sup>
<b>Total Lump Sum Bid Price</b>	\$ <u>51,495,000.00</u>

**.02 ALLOWANCES**

A. All specified cash allowance(s) are included in the price(s) set forth below and have been computed in accordance with the Document 00800 - Supplementary Conditions.

<b>Lump Sum Cash Allowance</b>	
Item 2A. Unanticipated Existing Underground Utilities and Yard Piping Location Allowance	\$25,000
Item 2B. Electrical Field Investigation Allowance	\$25,000
Item 2C. Primary Clarifier Concrete Surface Repair and Epoxy Protection	\$50,000
Item 2D: Electrical Utility New Service Coordination	\$25,000
Item 2E: Instrumentation and Controls Spare Parts	\$10,000
<b>Total for all Lump Sum for Cash Allowances</b>	<b>\$135,000</b>

**CONTINGENCY**

~~A. All specified contingency allowances are included in the price(s) set forth below and have been computed in accordance with the Document 00800 - Supplementary Conditions.~~

A. Not Used<sup>AD6</sup>

**ALTERNATIVES**

A. Not Used

**TABLE 4 — TIME OF COMPLETION**

acceptance period:

This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

Instructions to Bidders:

Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security.

Receipt of Addenda:

Bidder hereby acknowledges receipt of the following Addenda:

Addendum Number	Addendum Date
1	06/23/2022
2	07/11/2022
3	07/19/2022
4	07/22/2022
5	07/25/2022
6	08/02/2022
7	08/09/2022
8	08/16/2022

**E 6 — BIDDER'S REPRESENTATIONS AND CERTIFICATIONS**

Bidder's Representations:

In submitting this Bid, Bidder represents the following:

- Bidder has examined and carefully studied the Bidding Documents, including Addenda.
- Bidder has visited the Site, conducted a thorough visual examination of the and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- Bidder is familiar with all Laws and Regulations that may affect cost, progress and performance of the Work.
- In accordance with California Public Contract Code Section 2200 et seq., ("Contracting Act of 2010"), Bidder certifies that Bidder is not identified on the created by the California Department of General Services (DGS) in accordance with California Public Contract Code Section 2203(b) as a Person engaging investment activities in Iran.
- Bidder has carefully studied the reports of explorations and tests of subsurface conditions at or adjacent to the Site and the drawings of physical condition relating to existing surface or subsurface structures at the Site that have been identified in the Document 00800 - Supplementary Conditions, with respect to the Technical Data in such reports and drawings.
- Bidder has carefully studied the reports and drawings relating to

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahluand)

I hereby accept and submit this Bid as set forth above:

Wahlund Construction, Inc.

(or printed name of organization)

Contractor's License No.: 678993

California DIR Registration No.: 1000006404

By: *[Signature]*  
(individual's signature)

Name: Kenneth M. Wahlund  
(typed or printed)

Title: President  
(typed or printed)

Date: 8/12/2022  
(typed or printed)

If Bidder is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.

Attest: *[Signature]*  
(individual's signature)

Name: Ryan Wahlund  
(typed or printed)

Title: V.P. of Operations  
(typed or printed)

Date: 8/12/2022  
(typed or printed)

Address for giving notices:

PO Box 6486  
Eureka, CA 95502

Project Contact:

Name: Ryan Wahlund  
 (typed or printed)

Title: V.P. of Operations  
 (typed or printed)

Phone: (707) 499-4131

Email: ryan@wahlund.com

Address: PO Box 6486  
 Eureka, CA 95502

A Limited Liability Corporation

Limited Liability Corporation Name: N/A

By: \_\_\_\_\_  
 (Signature of managing member -- attach evidence of authority to sign)

Name (typed or printed): \_\_\_\_\_

Business address: \_\_\_\_\_

END OF DOCUMENT

ADS Addendum No. 6

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)



RESOLUTIONS ADOPTED BY SOLE  
DIRECTOR AND SHAREHOLDER  
OF  
WAHLUND CONSTRUCTION, INC.

The undersigned, being the sole Director and Shareholder, hereby adopts the following resolutions:

(1) RESOLVED, that the following persons be, and they hereby are, elected to the designated offices of the Corporation, to serve until their successors are elected to qualify:

- President: KENNETH M. WAHLUND
- Vice President: \_\_\_\_\_
- Secretary: KELLY A. WAHLUND
- Treasurer: KELLY A. WAHLUND
- Chief Financial Officer: KELLY A. WAHLUND

(2) RESOLVED, that all acts taken and resolutions adopted by the Incorporated are, approved, ratified and adopted.

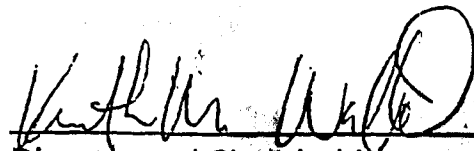
(3) RESOLVED, that the form of seal submitted to this meeting be, and it hereby is, approved and adopted as and for the corporate seal of this Corporation, and that an impression thereof be made on the margin of these minutes.

(4) RESOLVED, that the specimen form of certificate annexed hereto be, and it hereby is, approved and adopted as the certificate representing the shares of this Corporation.

(5) RESOLVED, that the Secretarial Certificate annexed hereto reflecting the banking arrangements of the Corporation be, and hereby is, approved and the resolutions set forth therein adopted.

Dated: July 29, 1996

*(Used as authority to sign)*

  
\_\_\_\_\_  
Director and Shareholder  
Kenneth M. Wahlund

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

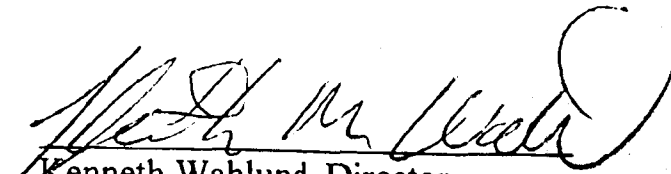
**ACTIONS BY UNANIMOUS CONSENT OF DIRECTORS OF WAHLUND CONSTRUCTION, INC., A CALIFORNIA CORPORATION AUTHORIZING WAHLUND TO ENTER INTO ORDINARY CONTRACTS ON BEHALF OF CORPORATION**

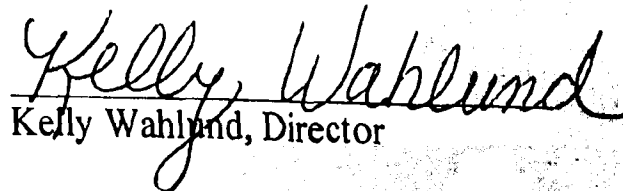
The undersigned, all of the directors of Wahlund Construction, Inc., a California corporation, do, by this writing, consent to the following actions and adopt the following resolutions:

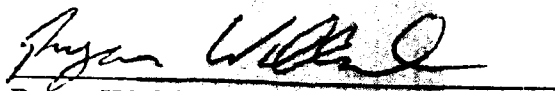
**RESOLVED** that Ryan Wahlund, the Vice-President of this corporation, is authorized from this date to enter into all ordinary contracts or execute any instrument in the name and on behalf of the corporation and to sign the name of the corporation to all such contracts.

This consent is executed in accordance with section 307 of the California Corporations Code and the bylaws of this corporation which authorize the taking of action by the board of directors by unanimous written consent without a meeting. This consent shall be filed with the secretary of the corporation.

Dated this twenty second (22<sup>nd</sup>) day of July, 2020.

  
Kenneth Wahlund, Director

  
Kelly Wahlund, Director

  
Ryan Wahlund, Director

DOCUMENT 00430

BID BOND (PENAL SUM FORM)

<b>Bidder</b> Name: Wahlund Construction, Inc. Address (principal place of business): P.O. Box 6486 Eureka, Ca. 95502	<b>Surety</b> Name: Travelers Casualty and Surety Company of America Address (principal place of business): One Tower Square Hartford, CT. 06183
<b>Owner</b> Name: City of Arcata Address (principal place of business): City of Arcata 736 F Street Arcata, CA 95521	<b>Bid</b> Project (name and location): City of Arcata, WWTF Improvements, Phase 1 Project Arcata Wastewater Treatment Facility 600 South G Street, Arcata, CA, 95521  Bid Due Date: August 18th, 2022


**Bond**  
Penal Sum: 10%(Ten percent of the amount of the bid)  
Date of Bond: August 5th, 2022

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth in this Bid Bond, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

Bidder Wahlund Construction, Inc.  
Wahlund Construction, Inc.  
(Full formal name of Bidder)

Surety Travelers Casualty and Surety  
Company of America  
(Full formal name of Surety) (corporate seal)

By:   
(Signature)

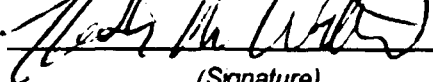
By:   
(Signature) (Attach Power of Attorney)


Name: Ryan Wahlund  
(Printed or typed)

Name: Danika L. Mott  
(Printed or typed)

Title: VP of Operations

Title: Attorney In Fact

Attest:   
(Signature)

Attest:   
(Signature)

Name: Kenneth M. Wahlund  
(Printed or typed)

Name: Amy Cloninger  
(Printed or typed)

Title: President

Title: Commercial Account Manager

Notes: (1) Note: Addresses are to be used for giving any required notice. (2) Provide execution by any additional parties, such as joint venturers, if necessary.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTF Improvements Project to Wahlund)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )
County of Humboldt )

On August 5, 2022 before me, Mindy Kathleen Sehon, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Danika L. Mott
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Mindy Kathleen Sehon
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Document Date:
Number of Pages: Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

- Signer's Name:
Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:

- Signer's Name:
Corporate Officer - Title(s):
Partner - Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other:

Signer Is Representing:

Signer Is Representing:



Travelers Casualty and Surety Company of America  
Travelers Casualty and Surety Company  
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

NOW ALL MEN BY THESE PRESENTS That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Danika L. Mott of EUREKA, California their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 21st day of April, 2021.



State of Connecticut

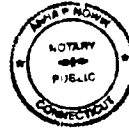
City of Hartford ss.

By Robert L. Raney  
Robert L. Raney, Senior Vice President

On this the 21st day of April, 2021, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2026



Anna P. Nowik  
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her, and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary, and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary, or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority, and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 5th day of August, 2022



Kevin E. Hughes  
Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.

Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

Attachment: Bid Protest Documents- Attachment C (4000) : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund



Travelers Casualty and Surety Company of America  
Travelers Casualty and Surety Company  
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Danika L. Mott** of **California** their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, 2021.



State of Connecticut

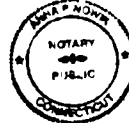
City of Hartford ss.

By *Robert L. Raney*  
Robert L. Raney, Senior Vice President

On this the **21st** day of **April**, 2021, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

My Commission expires the **30th** day of **June**, 2026



*Anna P. Nowik*  
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her, and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary, or (b) duly executed (under seal if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **5th** day of **August**, 2022



*Kevin E. Hughes*  
Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.  
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahluand)

DOCUMENT 00434

PROPOSED SUBCONTRACTORS FORM

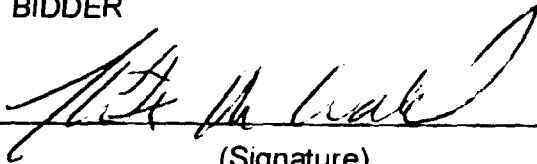
The listing of more than one subcontractor for each item of Work to be performed with the words "and/or" will not be permitted.

Bidder certifies that all Subcontractors listed are eligible to perform the Work.

Add additional sheets, if necessary, to list all Subcontractors.

If no Subcontractors are listed, it will be assumed that no Subcontractors are to be employed meeting the above conditions.

BIDDER

  
\_\_\_\_\_  
(Signature)

8/12/2022  
\_\_\_\_\_  
(Date)

Work to be performed	Contractor Name	License Type/Number	Percent of Total Contract	CA DIR Registration Number
Wahlund Construction Inc	Prime Contractor	A, B, C-10, C-22 678993	43.54	1600066404
2. CMU Block	SJR Masonry	B, C29 #417248	0.54	1000002931
3. Concrete / buildings	Sequoia Construction Specialties	A, B, C61/D06 #624264	9.63	PW-LR-1000005439
4. Bypass pumping	Multiple Pump Services Solutions, Inc	A #944697	0.42	1000365932
5. equipment rental	Frank Zabel Trucking, Inc	A #735625	0.11	1000016307
6. supply ag. bas materials; mobilization	GR Sundberg, Inc.	A, C31, C32 #732695	0.36	1000001216
7. SWPPP	Tully Consulting Group	n/a (consulting firm)	0.01	1000024960
8. AB Material; trucking	GLJ Construction	n/a (material & trucking)	0.24	PW-LR-1000712089
9. Ag base rock hauling	Zabel Enterprise LLC	n/a (trucking)	0.20	1000052329
10. Misc metals / structural steel (supplier)	G2 Metal Fab	A, C51 #919544	2.15	1000006542
11. Concrete Pier Installation	Hillside Drilling Company, Inc.	A #478991	5.54	1000002589
12. Instrumentation and Controls	ADDO TESCO Engineering and Controls	n/a (integrator) 1092377	5.24	n/a (integrator) 1000942924

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)



Work to be Performed	Contractor Name	License Type/Number	Percent of Total Contract	CA DIR Registration Number
13. Metals Installation	O & M Industries	A, B, C10, C20, C30, C43, L51 # 28493	Ken 1.26	1000000183
14. (see table)	M. J. S. Industrial Contractors Inc	C-33 # 310544	1.54	1000005805

The Contractor is responsible to list the information for their proposed Project Manager, responsible for DIR compliance, in the space below provided and sign below.

Contractor Project Manager Name	Title	E-mail address	Work phone number
Bret Rinehart	Project Manager	bret@wahlcon.com	(707)498-3414

END OF DOCUMENT

- f Bidder fails to circle a manufacturer or supplier for each piece of equipment identified:
- g the Bidder shall provide the first listed ("A") manufacturer or supplier for its Bid at no increase in the Contract amount or
- h may be cause for rejection of the Bid.

Acceptance of a manufacturer or supplier listed by the Bidder shall not constitute a waiver of any provision of the Contract Documents.

**List of Selected Equipment Manufacturers**

Equipment	Manufacturer/Supplier
HEAVY-DUTY FABRICATED STAINLESS STEEL SLIDE GATES	GOLDEN HARVEST / MISLOWATER
HORIZONTAL RECESS IMPELLER CENTRIFUGAL PUMPS	WEMCO / MUNIQUIP
VERTICAL TURBINE SHORT SETTING CENTRIFUGAL PUMPS	FAIR BANKS / JM SQUARED
HORIZONTAL SELF-PRIMING NON-CLOG CENTRIFUGAL PUMPS	WEMCO / MUNIQUIP
PROGRESSING CAVITY PUMPS	MOYNO / MUNIQUIP
SUBMERSIBLE PROCESS LIQUID SUMP PUMPS	BARNES / MUNIQUIP
SUBMERSIBLE MEDIUM CAPACITY CENTRIFUGAL PUMP	FLYGT / XYLEM
SINGLE-LOBE ROTARY PUMPS	<del>BORGES / ROUSSEL ENGINEERING</del> VOGELSANG / DXP
POSITIVE-DISPLACEMENT INCLINED OPEN ARCHIMEDES SCREW-TYPE PUMPS	EPIC INTL / ENVIROTRON
CYCLONE SEPARATOR AND GRIT CLASSIFIER	WEMCO / MUNIQUIP
VORTEX GRIT BASIN EQUIPMENT	VEOLIA MECTAN / GS ENGINEERING

RL

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahland)

00436-1

9913C10

nts/Cient/CA/Arcata/9913C1S/Specifications/00436 (BidSet)

	Equipment	Manufacturer/Supplier
2	SCUM CONCENTRATOR	PARKSON / COOMBS HOPKINS
632A	MECHANICAL BAR SCREENS	VULCAN / COOMBS HOPKINS
11333A	SCREENINGS WASHER COMPACTOR SYSTEM	VULCAN / COOMBS HOPKINS
11349	CHEMICAL INDUCTION UNIT	EVOQUA / G3 ENGINEERING
11352	CIRCULAR PRIMARY CLARIFIER EQUIPMENT	KUSTERS / ENVIROTROL
11635	AUTOMATIC SAMPLER	TELEDYNE ISO / CLIPPER CONTROLS
13447	ELECTRIC ACTUATORS	ROTORX GOLDEN HARVEST / MISCOWATER
14555	SHAFTLESS SCREW CONVEYORS	CUSTOM CONVEYOR SCHWING / JBI WATER
16232	SINGLE DIESEL FUELED ENGINE GENERATOR ABOVE 200 KW	CATERPILLAR / PETERSON POWER SYSTEMS
16262	VARIABLE FREQUENCY DRIVES 0.50 - 50 HORSEPOWER	EATON / CAMPTON ELECTRIC
16342	15-KILOVOLT MEDIUM VOLTAGE METAL CLAD SWITCHGEAR	EATON / CAMPTON ELECTRIC
16444	LOW VOLTAGE MOTOR CONTROL CENTERS	EATON / CAMPTON ELECTRIC

BIDDER

*[Signature]*  
 (Signature)

8/18/2022  
 (Date)

DOCUMENT 00451A

QUALIFICATIONS STATEMENT

ARTICLE 1 — QUALIFICATION DETERMINATION

1.01 Engineer has sole discretion in the determination of qualified businesses.

ARTICLE 2 — GENERAL INFORMATION

2.01 Provide contact information for the Business:

Legal Name of		Wahlund Construction, Inc.	
Corporate Office			
Name:	Kenneth M. Wahlund	Phone number:	(707) 268-0156
Title:	President	Email address:	ken@wahlund.ca
Business address of corporate office:		690 Indianola Rd. <sup>RW</sup> Eureka, CA 95503	
Local Office			
Name:	Ryan Wahlund	Phone number:	(707) 268-0150
Title:	V.P. of Operations	Email address:	ryan@wahlund.ca
Business address of local office:		690 Indianola Rd. Eureka, CA 95503	

2.02 Provide information on the Business's organizational structure:

Form of Business:	<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Joint Venture comprised of the following companies:	
1.	n/a
2.	
3.	

Provide a separate Qualification Statement for each Joint Venturer.

Date Business was formed:	12/1/1989	State in which Business was	CA
Is this Business authorized to operate in the Project location?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Pending	

Identify all businesses that own Business in whole or in part (25 percent or greater), or that are wholly or partly (25 percent or greater) owned by Business:

Name of business:	n/a	Affiliation:	
Address:			
Name of business:		Affiliation:	
Address:			
Name of business:		Affiliation:	
Address:			

2.04 Provide information regarding the Business's officers, partners, and limits of authority.

Name:	Kenneth M. Wahlund	Title:	President
Authorized to sign contracts:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Limit of Authority:	\$60,000,000
Name:	Kelly A. Wahlund	Title:	Secretary / Treasurer
Authorized to sign contracts:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Limit of Authority:	\$60,000,000
Name:	Ryan Wahlund	Title:	V.P. of Operations
Authorized to sign contracts:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Limit of Authority:	\$60,000,000
Name:		Title:	

**ARTICLE 3 — LICENSING**

3.01 Contractor's License Classification: In accordance with California Business and Professions Code, Section 7028, Owner has determined that Contractor shall possess a valid Class A Contractor License at the time of Bid and for the duration of the contract:

- A. Failure to possess the specified license shall render the Bid as non-responsive and shall act as a bar to award of the contract to any Bidder not possessing said license at the time of Bid opening.

3.02 Provide information regarding licensure for Business:

Name of License:	California Contractors License		
Licensing	A, B, ASB, HAZ, C22, C10		
License No:	678993	Expiration Date:	09/30/2022
Name of License:			
Licensing			
License No:		Expiration Date:	

**ARTICLE 4 — DIVERSE BUSINESS INFORMATION**

01 Provide information regarding Business's Diverse Business Certification, if any. Provide evidence of current certification. Bidder must demonstrate Diverse Business compliance with the required percentage of Contract Price.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

Certification	Certifying Agency	Certification Date	Required Percent of Contract Price
<input type="checkbox"/> Disadvantaged Business Enterprise			
<input type="checkbox"/> Minority Business Enterprise			
<input type="checkbox"/> Woman-Owned Business Enterprise			
<input type="checkbox"/> Small Business Enterprise			
<input type="checkbox"/> Disabled Business Enterprise			
<input type="checkbox"/> Veteran-Owned Business Enterprise			
<input type="checkbox"/> Service-Disabled Veteran-Owned Business			
<input type="checkbox"/> HUBZone Business (Historically Underutilized) Business			
<input type="checkbox"/> Other			
<input checked="" type="checkbox"/> None			

**ARTICLE 5 — SAFETY PROGRAM**

5.01 Provide information regarding Business's safety organization and safety performance.

Name of Business's Safety MCPProgram Officer:	<i>Ryan Wahlund</i>	
Safety Certifications		
Certification Name	Issuing Agency	Expiration
<i>Gold Shovel Excavation Safety</i>	<i>Gold Shovel</i>	<i>2/9/2023</i>
<i>Confined Space</i>	<i>United Rentals</i>	<i>1/31/2023</i>

5.02 Provide 3 years of data in the format below that includes Contractor's Worker's Compensation Insurance Experience Modification Rate (EMR), Total Recordable Injury Rate (TRIR) for incidents, and Total Number of Recorded Man Hours (MH) based on 29 CFR 1904 OSHA Recording and Reporting Occupational Injuries and Illness requirements. Bidder shall submit Worker's Compensation Insurance Experience Modification Rate (EMR) letter from insurance broker with signed Agreement.

Year	2021			2020			2019		
	EMR	TRIR	MH	EMR	TRIR	MH	EMR	TRIR	MH
<i>Wahlund Construction, Inc.</i>	<i>0.72</i>	<i>0</i>	<i>53,016</i>	<i>0.68</i>	<i>0</i>	<i>61,371</i>	<i>0.91</i>	<i>0</i>	<i>61,511</i>

May 2022

00451A-3

9913C10

PA 1 Carol o Documents Client: CA Arata 9913C10 Specifications 00451A (Bid Set)

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTF Improvements Project to Wahlund)

**6 — FINANCIAL**

Provide information regarding the Business's financial stability. Provide the most recent audited financial statement, and if such audited financial statement is not current, also provide the most current financial statement.

Financial Institution:	Morgan Stanley		
Business address:	2421 Polk St Eureka, CA 94501		
Date of Business's most recent financial statement:	6/30/2022	<input checked="" type="checkbox"/>	Attached
Date of Business's most recent audited financial statement:	12/31/2021	<input checked="" type="checkbox"/>	Attached
Financial indicators from the most recent financial statement			
Contractor's Current Ratio (Current Assets + Current Liabilities)	3.72		
Contractor's Quick Ratio ((Cash and Cash Equivalents + Accounts Receivable + Short Term Investments) + Current Liabilities)	3.32		

**ARTICLE 7 — SURETY INFORMATION**

7.01 Provide information regarding the surety company that will issue required bonds on behalf of the Business, including but not limited to performance and payment bonds.

Surety Name:	Travelers Casualty and Surety Company of America		
Surety is a corporation organized and existing under the laws of the state of:	CT		
Is surety authorized to provide surety bonds in the Project location?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is surety listed in "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" published in Department Circular 570 (as amended) by the Bureau of the Fiscal Service, U.S. Department of the Treasury?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Mailing Address (principal place of business):	One Tower Square Hartford, CT 06183		
Physical Address (principal place of business):	same as above		
Phone (main):	1 (866) 336-2077	Phone (claims):	1 (800) 238-6225

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

**ARTICLE 8 — INSURANCE**

8.01 Provide information regarding Business's insurance company(s), including but not limited to its Commercial General Liability carrier. Provide information for each provider.

Name of insurance provider, and type of policy (CLE, auto, etc.):		Napa Valley Insurance Services, LLC	
Insurance Provider	Type of Policy (Coverage Provided)		
Landmark American Ins. Co.	Commercial General Liability		
Everest National Ins. Co.	Automobile Liability		
RSUI Indemnity Co.	Excess Liability		
State Compensation Ins. Fund	Workers Comp.		
Are providers licensed or authorized to issue policies in the Project location?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does provider have an A.M. Best Rating of A-VII or better?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailing Address (principal place of business):	Napa Valley Insurance Services, LLC PO Box 2640, Napa, CA 94558		
Physical Address (principal place of business):	Napa Valley Insurance Services, LLC 1932 Sierra Ave, Napa, CA, 94558		
Phone (main):	(707) 252-9500	Phone (claims):	same

**ARTICLE 9 — CONSTRUCTION EXPERIENCE**

9.01 Provide information that will identify the overall size and capacity of the Business.

Average number of current full-time employees:	40
Estimate of revenue for the current year:	\$ 20,000,000.00 (Gross)
Estimate of revenue for the previous year:	\$ 20,000,000.00 (Gross)

9.02 Provide information regarding the Business's previous contracting experience.

Years of experience with projects like the proposed project: 32			
As a general contractor:	32	As a joint venturer:	N/A
Has Business, or a predecessor in interest, or an affiliate identified in Paragraph 1.03:			
Been disqualified as a bidder by any local, state, or federal agency within the last 5 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Been barred from contracting by any local, state, or federal agency within the last 5 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Been released from a bid in the past 5 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)



...itted on a project or failed to complete any contract awarded to it?  Yes  No

...e) used to construct or refused to provide materials defined in the contract documents or in change order?  Yes  No

...Been a party to any currently pending litigation or arbitration?  Yes  No

Provide full details in a separate attachment if the response to any of these questions is Yes.

- 9.03 List all projects currently under contract in Schedule A and provide indicated information. Bidder must demonstrate a minimum of 5 years of experience in projects similar in nature and scope to this project.
- 9.04 List a minimum of 3 and a maximum of 6 projects completed in the last 5 years in Schedule B and provide indicated information to demonstrate the Business's experience with Water / Wastewater Treatment facility projects, similar in type and cost of construction. Bidder must demonstrate successful completion during the last 5 years of at least 3 water and/or wastewater treatment facility project comparable in nature and scope to this project and one project with a dollar value of at least 80 percent of the value bid for this project.
- 9.05 In Schedule C, provide information on key individuals whom Business intends to assign to the Project. Provide resumes for those individuals included in Schedule C. Key individuals include the Project Manager, Project Superintendent, Quality Manager, and Safety Manager. Resumes may be provided for Business's key leaders as well. Bidder must demonstrate the key individuals each have minimum of 10 years of experience in similar construction projects. The Safety Manager must have appropriate certification or license.

## ARTICLE 10 — REQUIRED ATTACHMENTS

- 10.01 Provide the following information with the Statement of Qualifications:
- A. If Business is a Joint Venture, separate Qualifications Statements for each Joint Venturer, as required in this Document.
  - B. Diverse Business Certifications as specified in this Document.
  - C. Financial statements as specified in this Document.
  - D. Attachments providing additional information as specified in this Document.
  - E. Schedule A (Current Projects) as specified in this Document.
  - F. Schedule B (Previous Experience with Similar Projects) as specified in this Document.
  - G. Schedule C (Key Individuals) and resumes for the key individuals listed, as specified in this Document.
  - H. Additional items as required.

Statement of Qualifications is offered by:

Business: Wahlund Construction, Inc.  
(typed or printed name of organization)

By: *[Signature]*  
(individual's signature)

Name: Kenneth M. Wahlund  
(typed or printed)

Title: President  
(typed or printed)

Date: 8/18/2022  
(date signed)

*(If Business is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)*

Attest: *[Signature]*  
(individual's signature)

Name: Ryan Wahlund  
(typed or printed)

Title: V.P. of Operations  
(typed or printed)

Address for giving notices: PO Box 6486  
Eureka, CA 95502

Designated Representative:  
Name: Bret Rinehart  
(typed or printed)

Title: Project Manager/Engineer  
(typed or printed)

Address: PO Box 6486  
Eureka, CA 95502

Phone: (707) 266-1100<sup>rw</sup> (707) 498-3414

Email: bret@wahlcon.com

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

**Table A—Current Water and/or Wastewater Treatment Facility Projects**

Name of Organization		Covate Valley Hospitality Corp			
Project Owner		same as above		Project Name Covate Valley WWT Design build	
General Description of Project Design and build new wastewater treatment facility					
Project Cost		\$2,495,000.00		Date Project Completed estimated 8/31/2022	
Key Project Personnel					
Project Manager		Project Superintendent		Safety Manager	
Quality Control Manager					
Name		Bret Rinehart		Josh Rasmussen	
Name		Josh Rasmussen		Bret Rinehart	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a					
Name		Title/Position		Organization	
Telephone		Email			
Owner		Little Fawn Bldg Owners Rep.		Ceiba Legal, PC (415) 939-7797 littlefawn@ceibalegal.com	
Designer		Bret Rinehart PE		Rinehart Eng. neehg (707) 448-3414 bret@wahlcon.com	
Construction Manager		Richard Boss PE		Ess. Eng. Services (707) 477-2590 richard@esseng.net	

Name of		Myers Flat Mutual Water System, Inc.			
Project Owner		same as above		Project Name MEMWS Distribution System Impr	
General Description of Project Installation and testing of new water mains and appurtenances					
Project Cost		\$1,508,147.90		Date Project Completed estimated 12/31/2023	
Key Project Personnel					
Project Manager		Project Superintendent		Safety Manager	
Quality Control Manager					
Name		Ryan Wahlund		Curtis Seely	
Name		Curtis Seely		Ryan Wahlund	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a					
Name		Title/Position		Organization	
Telephone		Email			
Owner		Mary Whitmore Owners Rep.		MEMWS, Inc. (707) 943-1865 myersflatmutualh2o@gmail	
Designer		Luke Halonen Civil Eng.		GHD (530) 721-0834 luke.halonen@ghd.com	
Construction Manager		Luke Halonen			

Name of		Scotia Union School District			
Project Owner		same as above		Project Name Scotia Gymnasium Phases One and	
General Description of Project Remo of old and construction of new school gymnasium					
Project Cost		\$1,845,830.32		Date Project Completed estimated 12/31/2022	
Key Project Personnel					
Project Manager		Project Superintendent		Safety Manager	
Quality Control Manager					
Name		Gregory Hufferd		Bob Crittenden	
Name		Bob Crittenden		Ryan Wahlund	
Name		Ryan Wahlund		Ken Wahlund	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a					
Name		Title/Position		Organization	
Telephone		Email			
Owner		Amy Gossien Superintendent		Scotia USD (707) 764-2212 agossien@scotiaschool	
Designer		Guy Fryer Architect		Siskiyou Design Group (530) 842-1085	
Construction Manager		Dave Downs Project Manager		Dinsmore Construction Co. (707) 725-4900 dave_b@dinsmoreco	

**Schedule B—Previous Experience with Water and/or Wastewater Treatment Facility Projects**

Name of Organization		see following pages			
Project Owner		Project Name			
General Description of Project					

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWWF Improvements Project to Wahlund)

**Module A—Current Water and/or Wastewater Treatment Facility Projects**

Name of Organization		Eureka City Schools			
Project Owner		same as above		Project Name	
General Description of Project		EXS Albee Stadium Lease-lease back Project			
Project Cost		estimate = \$11,000,000. <sup>00</sup>		Date Project Completed	
Key Project Personnel		Project Manager		Project Superintendent	
Name		Gregory Hufford		Curtis Seely	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a		Safety Manager		Quality Control Manager	
		Ryan Wahlund		Ken Wahlund	
Name		Title/Position		Organization	
Owner		Paul Ziegler		Assistant Superintendent ECS	
Designer		Gary Mallory		Architect, Resident FF&J Architects, Inc.	
Construction Manager		TBD			
Name		Title/Position		Organization	
Owner		Paul Ziegler		Assistant Superintendent ECS	
Designer		Gary Mallory		Architect, Resident FF&J Architects, Inc.	
Construction Manager		TBD			

Name of		City of Eureka Public Works			
Project Owner		same as above		Project Name	
General Description of Project		City of Eureka - K St. Lift Station Demo			
Project Cost		\$217,800. <sup>00</sup>		Date Project Completed	
Key Project Personnel		Project Manager		Project Superintendent	
Name		Gregory Hufford		Curtis Seely	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a		Safety Manager		Quality Control Manager	
		Curtis Seely		Gregory Hufford	
Name		Title/Position		Organization	
Owner		Gabriel Adame		PE City of Eureka	
Designer		Gabriel Adame			
Construction Manager		Gabriel Adame			

Name of		City of Eureka Public Works			
Project Owner		same as above		Project Name	
General Description of Project		City of Eureka - Water Improvements 2022			
Project Cost		\$1,223,075. <sup>00</sup>		Date Project Completed	
Key Project Personnel		Project Manager		Project Superintendent	
Name		Gregory Hufford		Curtis Seely	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a		Safety Manager		Quality Control Manager	
		Curtis Seely		Gregory Hufford	
Name		Title/Position		Organization	
Owner		Kelly Allen		Project Manager City of Eureka	
Designer		Kelly Allen			
Construction Manager		Kelly Allen			

**Module B—Previous Experience with Water and/or Wastewater Treatment Facility Projects**

Name of Organization	see following pages				
Project Owner					

**Schedule A—Current Water and/or Wastewater Treatment Facility Projects**

Name of Organization						Loleta Community Services District					
Project Owner			same as above			Project Name			Loleta Sewer Collection System Rehabil		
General Description of Project						Replacement of sewer mains and laterals					
Project Cost			\$ 901,993. <sup>00</sup>			Date Project Completed			estimated 10/31/2022		
Key Project Personnel		Project Manager		Project Superintendent		Safety Manager		Quality Control Manager			
Name		Gregory Hufford		Ross Costa		Ross Costa		Gregory Hufford			
Reference Contact Information (listing names indicates approval to contacting the names individuals as a											
manuel		Name		Title/Position		Organization		Telephone		Email	
Owner		Fonseca <del>for approval</del>		General Manager		Loleta CSD		(707) 733-1717		loletacsd@aol.net	
Designer		Chuck Swanson		Project Manager		SHN		(707) 441-8855		cswanson@shn-engr.com	
Construction Manager		Chuck Swanson		↓		↓		↓		↓	

Name of						City of Ukiah					
Project Owner			same as above			Project Name			Ukiah Ford and Orchard Lift Station		
General Description of Project						Sewer lift station modifications and upgrades					
Project Cost			\$ 220,775. <sup>00</sup>			Date Project Completed			estimated 09/30/2022		
Key Project Personnel		Project Manager		Project Superintendent		Safety Manager		Quality Control Manager			
Name		Bret Pinehart		Josh Rasmussen		Josh Rasmussen		Bret Pinehart			
Reference Contact Information (listing names indicates approval to contacting the names individuals as a											
Name		Title/Position		Organization		Telephone		Email			
Owner		Jason Benson		Senior Civil Eng.		City of Ukiah		(707) 463-6233		jbenson@cityofukiah.com	
Designer		Jason Benson		↓		↓		↓		↓	
Construction Manager		Jason Benson		↓		↓		↓		↓	

Name of											
Project Owner						Project Name					
General Description of Project											
Project Cost						Date Project Completed					
Key Project Personnel		Project Manager		Project Superintendent		Safety Manager		Quality Control Manager			
Name											
Reference Contact Information (listing names indicates approval to contacting the names individuals as a											
Name		Title/Position		Organization		Telephone		Email			
Owner											
Designer											
Construction Manager											

**Schedule B—Previous Experience with Water and/or Wastewater Treatment Facility Projects**

Name of Organization						see following pages					
Project Owner											

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer				
Construction				

NOT USED  
(see below)

Name of Organization	College of the Redwoods			
Project Owner	College of the Redwoods	Project Name	College of the Redwoods VIF Project	
General Description of Project	Remove existing treatment plant; construct & install new system, leach field; replace sewer collection system			
Project Cost	\$30,787,981.49	Date Project	7 of 8 sub projects completed 5/1/22 1 of 8 to be completed 4/24/23	
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bret Rinchart	Bob Crittenden	Ryan Wahlund	Ken Wahlund
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Julia Morrison	Vice President	College of the Redwoods	(707)476-4122
Designer	Steve McManey	PE	GHD, Inc.	(707)493-8326
Construction	Bret Rinchart	PE	Rinchart Engineering	(707)498-2114

Name of Organization	City of Woodland			
Project Owner	same as above		Project Name	Woodland Sewer & Water Repair & Replacement
General Description of Project	Replacement of underground infrastructure (sewer & water)			
Project Cost	\$4,673,532.83	Date Project	Completed 8/9/2022	
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bob Crittenden	Ross Costa	Ross Costa	Bob Crittenden
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Mark Miller	Associate Eng	City of Woodland	(707)479-8378
Designer	Mark Miller			
Construction	Mark Miller			

**Schedule C—Key Individuals**

Project Manager	see following pages
Name of individual	
Years of experience as project manager	
Years of experience with this organization	
Number of similar projects as project manager	
Number of similar projects in other positions	
Current Project Assignments	

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer		not used		
Construction		(see below)		

Name of Organization	Mendocino Community Services District			
Project Owner	same as above	Project Name	Mendocino WWTP Upgrades	
General Description of Project	Upgrades to wastewater treatment plant system/controls/electrical			
Project Cost	\$2,564,581.06	Date Project	completed April 2021	
Liquidated Damages Amount (\$):	0			

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bret Pinehart	Bob Crittenden	Bob Crittenden	Bret Pinehart
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Roger Schwartz	Ryan Rhoades, Superintendent	MCCSD	(707)937-5110
Designer	Thomas Herman	Engineer	SHN	(707)459-4518
Construction	Lory Widmer	Project Engineer	SHN	(707)459-4518

Name of Organization	City of Fort Bragg			
Project Owner	City of Fort Bragg	Project Name	Fort Bragg WWTP Upgrades	
General Description of Project	Packaged Biological Treatment Facility install; pump station construction; modification			
Project Cost	\$15,325,500	Date Project	completed September 2020 to exist	
Liquidated Damages Amount (\$):	0			

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bret Pinehart	Bob Crittenden	Bob Crittenden	Bret Pinehart
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	John Smith	Dir. of Pub. Works	City of Fort Bragg	(707)961-2823 x136
Designer	Jason Island	Senior Civil Eng.	SHN	(707)459-4518
Construction	Bret Pinehart	PE	Pinehart Engineering	(707)498-3414

**Schedule C—Key Individuals**

Project Manager	see following pages
Name of individual	
Years of experience as project manager	
Years of experience with this organization	
Number of similar projects as project manager	
Number of similar projects in other positions	
Recent Project Assignments	

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWWF Improvements Project to Wahluand)

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer		not used		
Construction		(see below)		

Name of Organization	City of Ukiah			
Project Owner	same as above	Project Name	Ukiah Downtown Water & Sewer	
General Description of Project	Replacement of underground infrastructure (sewer & water)			
Project Cost	\$4,633,081. <sup>64</sup>	Date Project	September 2021 completed	
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bob Crittenden	Ross Costa	Ross Costa	Bob Crittenden
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Jason Benson	Senior Engineer	City of Ukiah	(707)463-6233
Designer	Tim Dillenburg	Const. manager	GHD	(707)480-1531
Construction	Tim Dillenburg	↓	↓	↓

Name of Organization	Town of Scotia			
Project Owner	same as above	Project Name	Scotia Infrastructure Improvements Phase 1	
General Description of Project	Replacement of Underground infrastructure (sewer, water, & storm drain)			
Project Cost	\$4,292,305. <sup>27</sup>	Date Project	completed October 2021	
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Greg Hufford	Curtis Seely	Ryan Wahlund	Ken Wahlund
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Steve Dieke	President	Town of Scotia	(707)764-5063
Designer	Mike Foget	Engineer	SHN	(707)441-8855
Construction	Mike Foget	↓	↓	↓

**Schedule C—Key Individuals**

<b>Project Manager</b>	
Name of individual	
Years of experience as project manager	
Years of experience with this organization	
Number of similar projects as project manager	
Number of similar projects in other positions	
Current Project Assignments	



Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)					
	Name	Title/Position	Organization	Telephone	Email
Owner	no + used see below				
Designer					
Construction					

Name of Organization	City of Crescent City			
Project Owner	Same as above	Project Name	City of Crescent City Water Pollution Control Facilities	
General Description of Project	Complete remodel & upgrade of water pollution control facilities + underground improvements			
Project Cost	\$37,601,542.00	Date Project	completed May 2011	

Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bret Rinehart	Curtis Seely	Ken Wahlund	Rick Page

Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)					
	Name	Title/Position	Organization	Telephone	Email
Owner	Jim Barnitz	Director of Pub. Works	City of Crescent City	(707) 464-9506	j.barnitz@co.del-norte.ca.us
Designer	Ron Walz	Engineer	Kennedy Jenks Consulting	(341) 338-8135	ron.walz@kennedyjenks.com
Construction	Ward Stover	Principal PE	Stover Engineering	(707) 465-6743	wstover@stovereng.com

Name of Organization	City of Fortuna			
Project Owner	Same as above	Project Name	Wastewater Treatment Facility 2004 Expansion	
General Description of Project	Upgrades to existing wastewater treatment facilities + construction of new facilities			
Project Cost	\$11,200,000	Date Project	completed 2007	

Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Ken Wahlund	Curtis Seely	Curtis Seely	Ken Wahlund

Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)

	Name	Title/Position	Organization	Telephone	Email
Owner	Dennis Ryan	City Manager	City of Fortuna	(707) 726-3266	dennis@cityoffortuna.com
Designer	Eric Bulstad	Engineer	Eco-Logic Engineering	(416) 773-8100	eric@eco-logicenvironmental.com
Construction	John DeBoice	Senior Engineer	Oscar Larson & Associates	(416) 445-2000	bret@wahlon.com

**Key Individuals**

Project Manager	see following pages
Name of individual	
Years of experience as project manager	
Years of experience with this organization	
Number of similar projects as project manager	
Number of similar projects in other positions	

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	not used			
Designer	see below			
Construction	see below			

Name of Organization	City of Ferndale <sup>R.W.</sup> - Rio Dell			
Project Owner	same as above	Project Name	Rio Dell Wastewater Treatment Plant Upgrade & <sup>Special</sup> Project	
General Description of Project Construction of new treatment facilities & upgrades to existing + new electrical				
Project Cost	\$10,660,960.00	Date Project	completed 2013	
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bret Rinehart	Curtis Seely	Ken Wahlund	Bret Rinehart
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Gay Parrish	Owner's Rep.	City of Ferndale	(707) 784-4224
Designer	Craig Olson	Engineer	HDR Engineering	(916) 817-4700
Construction	Randy Jensen	Superintendent	City of Rio Dell	(707) 764-3599

Special Project

Name of Organization	City of Eureka			
Project Owner	same as above	Project Name	Martin Slough Force Main Drill and Trenching Project	
General Description of Project Construction of 26" HDPE Force main Pipeline via horizontal directional drilling + open cut trenching				
Project Cost	\$8,956,941.00	Date Project	Completed 2014	
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Ken Wahlund	Curtis Seely	Curtis Seely	Ken Wahlund
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Russell Dees	Asst. Superint.	City of Eureka	(707) 519-2550
Designer	Bill McGoldrick	Inspector	SHN Engineering	(707) 441-8883
Construction	Kurt Gierlich	City Engineer	City of Eureka	(707) 441-4499

open cut trenching

**Schedule C - Key Individuals**

Project Manager	see following pages
Name of individual	
Years of experience as project manager	
Years of experience with this organization	
Number of similar projects as project manager	
Number of similar projects in other positions	
Current Project Assignments	

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	not used			
Designer	not used			
Construction	see below			

Name of Organization	Bear River Band of the Rohnerville Rancheria			
Project Owner	Same as above	Project Name	Wastewater Treatment Plant and Disposal Project Design Build	
General Description of Project	Design & construction of new wastewater treatment plant and disposal field.			
Project Cost	\$4,075,500.00	Date Project	Completed	2016
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bret Rinehart	Curtis Seely	Curtis Seely	Ken Wahlund
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Mike Flockhart	Maint. Manager	Bear River	(707)502-1444 miflock4@hotmail.com
Designer	Bret Rinehart	Civil Engineer	Wahlund Const.	(707)498-3444 bret@wahl.com
Construction	Manny Fonseca	Maint. Supervisor	Bear River	(707)845-6969 generalmanager@csd@arrn.com

Name of Organization	Smith River Rancheria			
Project Owner	same as above	Project Name	Wastewater Treatment Plant & Disposal System	
General Description of Project	Construction of new wastewater treatment system, concrete tanks, building, & leach field			
Project Cost	\$2,647,387.80	Date Project	Completed	January 2010
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Ken Wahlund	Curtis Seely	Curtis Seely	Ken Wahlund
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Tim Hoone	Director	Smith River Rancheria	(707)451-4255
Designer	Neal Carnam	Engineer	Winzler & Kelly	(707)451-4255 ncarnam@gmail.com
Construction	Brad Cass	Director	Smith River Rancheria	(707)218-7514 bcass@tolowa.com

**Schedule C - Key Individuals**

(707)599-6938

Project Manager	
Name of individual	see following pages
Years of experience as project manager	
Years of experience with this organization	
Number of similar projects as project manager	
Number of similar projects in other positions	
Current Project Assignments	

Key Project	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Name				
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer	not used			
Construction	see below			

Name of Organization	Garberville Sanitary District (GSD)				
Project Owner	Same as above	Project Name	Drinking Water Improvement Project		
General Description of Project Construction of new surface water treatment facility					
Project Cost	\$2,313,609. <sup>00</sup>	Date Project	Completed	2014	
Liquidated Damages Amount (\$):	0				
Key Project	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager	
Name	Bret Pinehart	Curtis Seely	Ryan Wahlund	Ken Wahlund	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)					
	Name	Title/Position	Organization	Telephone	Email
Owner	Ralph Emerson	General Mgr.	GSD	(209)743-0125	remerson@garbervillesd.org
Designer	Mike Foget	CEO	SHN Engineers	(707)845-3044	mfoget@shn-engr.com
Construction	Dennis Ryan	Inspector	GSD	(707)726-3266	dennis@mcclurearthmoving.com

Name of Organization	City of Arcata				
Project Owner	Same as above	Project Name	City of Arcata Sewer Rehabilitation & Improvements		
General Description of Project Digging & replacing 2,000 lin. ft. of sewer pipe + laterals + manholes					
Project Cost	\$629,490. <sup>00</sup>	Date Project	Completed	2012	
Liquidated Damages Amount (\$):					
Key Project	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager	
Name					
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)					
	Name	Title/Position	Organization	Telephone	Email
Owner					
Designer					
Construction					

**Schedule C—Key Individuals**

<b>Project Manager</b>	
Name of individual	see following pages
Years of experience as project manager	
Years of experience with this organization	
Number of similar projects as project manager	
Number of similar projects in other positions	
Current Project Assignments	

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer	not used			
Construction	see below			

Name of Organization	City of Ferndale			
Project Owner	same as above	Project Name	Ferndale Wastewater Treatment Plant addition,	
General Description of Project Construction of new wastewater treatment facility, including underground utilities				
Project Cost	\$8,459,864.91	Date Project	completed January 2012	
Liquidated Damages Amount (\$):	0			
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
	Bret Riehart	Curtis Seely	Ken Wahlund	Ken Wahlund
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner	Jay Parrish	Owner's Rep	City of Ferndale	(707) 766-4224
Designer	Kent M. Hanford		Hanford Consulting	(715) 332-4808
Construction	Kent M. Hanford	↓	↓	↓

Name of Organization				
Project Owner			Project Name	
General Description of Project				
Project Cost			Date Project	
Liquidated Damages Amount (\$):				
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer				
Construction				

**Schedule C—Key Individuals**

Project Manager	see following pages
Name of individual	
Years of experience as project manager	
Years of experience with this organization	
Number of similar projects as project manager	
Number of similar projects in other positions	

Not (see below)

Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer				
Construction				

Name of Organization				
Project Owner		Project Name		
General Description of Project				
Project Cost		Date Project		
Liquidated Damages Amount (\$):				
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer				
Construction				

Name of Organization				
Project Owner		Project Name		
General Description of Project				
Project Cost		Date Project		
Liquidated Damages Amount (\$):				
Key Project Name	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
	Name	Title/Position	Organization	Telephone
Owner				
Designer				
Construction				

**Schedule C—Key Individuals**

<b>Project Manager</b>	
Name of individual	Bret Rinehart
Years of experience as project manager	15
Years of experience with this organization	15
Number of similar projects as project manager	10
Number of similar projects in other positions	5
Current Project Assignments	

Name of assignment	Percent of time used for this project	Estimated project completion date
Coyote Valley WWTP Design Build	20	9/30/2022

Reference Contact Information (listing names indicates approval to contact named individuals as a reference)

Name	Andrew Luke	Name	John Smith
Title/Position	Plant Operations Mgr	Title/Position	Dir. of Public Works
Organization	Coyote Valley Hospitality Corp	Organization	City of Fort Bragg
Telephone	(707) 467-4727	Telephone	(707) 961-2823 ext 135
Email	pom@coyotevalley-nsw.org	Email	jsmith@fortbragg.com
Project	Coyote Valley WWTP	Project	Fort Bragg WWTP
Candidate's role on project	Owner's Rep.	Candidate's role on project	Owner's Rep.

**Project Superintendent**

Name of individual	Bob Crittenden
Years of experience as project superintendent	39
Years of experience with this organization	14
Number of similar projects as project superintendent	5
Number of similar projects in other positions	10

**Current Project Assignments**

Name of assignment	Percent of time used for this project	Estimated project completion date
PM for Storm Damage Repairs to Panther Gap Rd.	10	12/31/2022

**Reference Contact Information (listing names indicates approval to contact named individuals as a reference)**

Name	Title/Position	Organization	Telephone	Email	Project	Candidate's role on project
Jason Benson	Senior Civil Engineer	City of Ukiah	(707) 463-6233	jhbenson@cityofukiah.com	Ukiah Downtown Water & Sewer	Owner's Rep
Mark Miller	Associate Engineer	City of Woodland	(707) 479-8378	mark.miller@cityofwoodland.com	Woodland Sewer & Water Repa	Owner's Rep



<b>Project Manager</b>	
Name of individual	Ryan Wahlund
Years of experience as project manager	12
Years of experience with this organization	10
Number of similar projects as project manager	5
Number of similar projects in other positions	12

<b>Recent Project Assignments</b>		
Name of assignment	Percent of time used for this project	Estimated project completion date
Flat Mutual Water System	10	7/31/2023

Reference Contact Information (listing names indicates approval to contact named individuals as a reference)

Name	Ralph Emerson	Name	Steve Deike
Position	General Manager	Title/Position	Manager
Organization	Carberville Sewer/Dist.	Organization	Town of Scotia LLC
Telephone	(417) 743-6125	Telephone	(707) 764-5063
Email	remerson@carberville.org	Email	SDeike@townofscotia.com
Project	Carberville Water Treatment Plant	Project	Scotia Infrastructure Imp. Phas
Candidate's role on project	Owner's rep.	Candidate's role on project	Owner's Rep.

**Quality Control Manager**

Name of individual	Ken Wahlund
Years of experience as project superintendent	35
Years of experience with this organization	33
Number of similar projects as project superintendent	20
Number of similar projects in other positions	30

**Current Project Assignments**

Name of assignment	Percent of time used for this project	Estimated project completion date
College of the Redwoods Creative Arts Bldg	10	5/31/2025

**Reference Contact Information (listing names indicates approval to contact named individuals as a reference)**

Name	Title/Position	Organization	Telephone	Email	Project	Candidate's role on project
Mike Flockhart	Maintenance Manager	Bear River Casino Rancheria	(707) 502-1146		Bear River WWTP Design/Bid	Owner's Rep
Steve McHaney	Professional Engineer	GHD	(707) 599-6931	steve.mchaney@ghd.	College of the Redw	Design Engineer

END OF DOCUMENT

**DOCUMENT 00451B**

**QUALIFICATIONS STATEMENT (ELECTRICAL)**

**ARTICLE 1 — QUALIFICATION DETERMINATION**

1.01 Engineer has sole discretion in the determination of qualified businesses.

**ARTICLE 2 — GENERAL INFORMATION**

2.01 Provide contact information for the Electrical Subcontractor Business:

Legal Name of		Wahlund Construction, Inc.	
Corporate Office			
Name:	Kenneth M. Wahlund	Phone number:	(707) 268-0150
Title:	President	Email address:	ken@wahlcon.com
Business address of corporate office:		690 Indianola Rd. <sup>PO</sup> 830 Hilma Drive Eureka, CA 95503	
Local Office			
Name:	Ryan Wahlund	Phone number:	(707) 268-0150
Title:	V.P. of Operations	Email address:	ryan@wahlcon.ca
Business address of local office:		690 Indianola Rd. Eureka, CA 95503	

2.02 Provide information on the Business's organizational structure:

Form of Business:  Sole Proprietorship  Partnership  Corporation

Limited Liability Company  Joint Venture comprised of the following companies:

1.	n/a
2.	
3.	

Provide a separate Qualification Statement for each Joint Venturer.

Date Business was formed: 12/1/1989 State in which Business was CA

Is this Business authorized to operate in the Project location?  Yes  No  Pending

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

Identify all businesses that own Business in whole or in part (25 percent or greater), or that are wholly or partly (25 percent or greater) owned by Business:

Name of business:	n/a	Affiliation:	
Address:			
Name of business:		Affiliation:	
Address:			
Name of business:		Affiliation:	
Address:			

2.04 Provide information regarding the Business's officers, partners, and limits of authority.

Name:	Kenneth M. Wahlund	Title:	President
Authorized to sign contracts:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Limit of Authority:	\$ 60,000,000
Name:	Kelly A. Wahlund	Title:	Secretary / Treasurer
Authorized to sign contracts:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Limit of Authority:	\$ 60,000,000
Name:	Ryan Wahlund	Title:	V.P. of Operations
Authorized to sign contracts:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Limit of Authority:	\$ 60,000,000
Name:		Title:	

**ARTICLE 3 — LICENSING**

3.01 Electrical Subcontractor's License Classification: In accordance with California Business and Professions Code, Section 7028, Owner has determined that Contractor shall possess a valid Class A Contractor License at the time of Bid and for the duration of the contract:

- A. Failure to possess the specified license shall render the Bid as non-responsive and shall act as a bar to award of the contract to any Bidder not possessing said license at the time of Bid opening.

3.02 Provide information regarding licensure for Business:

Name of License:	California Contractors License		
Licensing	A, B, ASB, HAZ, C22, C10		
License No:	678993	Expiration Date:	09/30/2022
Name of License:			
Licensing			
License No:		Expiration Date:	

**ARTICLE 4 — DIVERSE BUSINESS INFORMATION**

4.01 Provide information regarding Business's Diverse Business Certification, if any. Provide evidence of current certification. Bidder must demonstrate Diverse Business compliance with the required percentage of Contract Price.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

Certification	Certifying Agency	Certification Date	Required Percent of Contract Price
<input type="checkbox"/> Disadvantaged Business Enterprise			
<input type="checkbox"/> Minority Business Enterprise			
<input type="checkbox"/> Woman-Owned Business Enterprise			
<input type="checkbox"/> Small Business Enterprise			
<input type="checkbox"/> Disabled Business Enterprise			
<input type="checkbox"/> Veteran-Owned Business Enterprise			
<input type="checkbox"/> Service-Disabled Veteran-Owned Business			
<input type="checkbox"/> HUBZone Business (Historically Underutilized) Business			
<input type="checkbox"/> Other			
<input checked="" type="checkbox"/> None			

**ARTICLE 5 — SAFETY PROGRAM**

5.01 Provide information regarding Business's safety organization and safety performance.

Name of Business's Safety MCPProgram Officer:	Ryan Wahlund		
Safety Certifications			
Certification Name	Issuing Agency	Expiration	
Gold Shovel Excavation safety	Gold Shovel	2/9/2023	
Confined Space	United Rentals	1/31/2023	

5.02 Provide 3 years of data in the format below that includes Contractor's Worker's Compensation Insurance Experience Modification Rate (EMR), Total Recordable Injury Rate (TRIR) for incidents, and Total Number of Recorded Man Hours (MH) based on 29 CFR 1904 OSHA Recording and Reporting Occupational Injuries and Illness requirements. Bidder shall submit Worker's Compensation Insurance Experience Modification Rate (EMR) letter from insurance broker with signed Agreement.

Year	2021			2020			2019		
	EMR	TRIR	MH	EMR	TRIR	MH	EMR	TRIR	MH
Wahlund Construction, Inc.	0.72	0	63,016	0.68	0	67,311	0.91	0	61,511

**ARTICLE 6 — FINANCIAL**

6.01 Provide information regarding the Business's financial stability. Provide the most recent audited financial statement, and if such audited financial statement is not current, also provide the most current financial statement.

Financial Institution:	Morgan Stanley		
Business address:	2421 Buhne St. Eureka, CA 95501		
Date of Business's most recent financial statement:	6/30/2022	<input checked="" type="checkbox"/>	Attached
Date of Business's most recent audited financial statement:	12/31/2021	<input checked="" type="checkbox"/>	Attached
Financial indicators from the most recent financial statement			
Contractor's Current Ratio (Current Assets + Current Liabilities)	3.72		
Contractor's Quick Ratio ((Cash and Cash Equivalents + Accounts Receivable + Short Term Investments) + Current Liabilities)	3.32		

**ARTICLE 7 — SURETY INFORMATION**

7.01 Provide information regarding the surety company that will issue required bonds on behalf of the Business, including but not limited to performance and payment bonds.

Surety Name:	Travelers Casualty and Surety Company of America		
Surety is a corporation organized and existing under the laws of the state of:	CT		
Is surety authorized to provide surety bonds in the Project location?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is surety listed in "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" published in Department Circular 570 (as amended) by the Bureau of the Fiscal Service, U.S. Department of the Treasury?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Mailing Address (principal place of business):	One Tower Square		
	Hartford, CT 06183		
Physical Address (principal place of business):	same as above		
Phone (main):	1 (866) 336-2077	Phone (claims):	1 (800) 238-6225

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

**ARTICLE 8 — INSURANCE**

8.01 Provide information regarding Business's insurance company(s), including but not limited to its Commercial General Liability carrier. Provide information for each provider.

Name of insurance provider, and type of policy (CLE, auto, etc.):		Napa Valley Insurance Services, LLC	
Insurance Provider	Type of Policy (Coverage Provided)		
Landmark American Ins. Co.	Commercial General Liability		
Everest National Ins. Co.	Automobile Liability		
RSUI Indemnity Co.	Excess Liability		
State Compensation Ins. Fund	Workers Comp.		
Are providers licensed or authorized to issue policies in the Project location?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does provider have an A.M. Best Rating of A-VII or better?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailing Address (principal place of business):	Napa Valley Insurance Services, LLC		
	PO Box 2610, Napa, CA 94558		
Physical Address (principal place of business):	Napa Valley Insurance Services, LLC		
	1932 Sierra Ave, Napa, CA 94558		
Phone (main):	(707) 252-9500	Phone (claims):	same

**ARTICLE 9 — CONSTRUCTION EXPERIENCE**

9.01 Provide information that will identify the overall size and capacity of the Electrical Subcontractor Business.

Average number of current full-time employees:	40
Estimate of revenue for the current year:	\$20,000,000.00 (Gross)
Estimate of revenue for the previous year:	\$20,000,000.00 (Gross)

9.02 Provide information regarding the Business's previous contracting experience.

Years of experience with projects like the proposed project:		32	
As a general contractor:	32	As a joint venturer:	n/a
Has Business, or a predecessor in interest, or an affiliate identified in Paragraph 1.03:			
Been disqualified as a bidder by any local, state, or federal agency within the last 5 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Been barred from contracting by any local, state, or federal agency within the last 5 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Been released from a bid in the past 5 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

defaulted on a project or failed to complete any contract awarded to it?  Yes  No

Refused to construct or refused to provide materials defined in the contract documents or in a change order?  Yes  No

Been a party to any currently pending litigation or arbitration?  Yes  No

Provide full details in a separate attachment if the response to any of these questions is Yes.

- 9.03 List all projects currently under contract in Schedule A and provide indicated information. Bidder must demonstrate a minimum of 5 years of experience in projects similar in nature and scope to this project.
- 9.04 List a minimum of 2 and a maximum of 4 projects completed in the last 5 years in Schedule B and provide indicated information to demonstrate the Business's experience with Water / Wastewater Treatment facility projects, similar in type and cost of construction. Bidder must demonstrate successful completion during the last 5 years of at least 2 water and/or wastewater treatment facility project comparable in nature and scope to this project and one project with a dollar value of at least 80 percent of the value bid for this project.
- 9.05 In Schedule C, provide information on key individuals whom Business intends to assign to the Project. Provide resumes for those individuals included in Schedule C. Key individuals include the Project Manager, Project Superintendent, Quality Manager, and Safety Manager. Resumes may be provided for Business's key leaders as well. Bidder must demonstrate the key individuals each have minimum of 10 years of experience in similar construction projects. The Safety Manager must have appropriate certification or license.

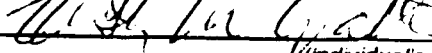
#### ARTICLE 10 — REQUIRED ATTACHMENTS

- 10.01 Provide the following information with the Statement of Qualifications (Electrical):
- A. If Business is a Joint Venture, separate Qualifications Statements for each Joint Venturer, as required in this Document.
  - B. Diverse Business Certifications as specified in this Document.
  - C. Financial statements as specified in this Document.
  - D. Attachments providing additional information as specified in this Document.
  - E. Schedule A (Current Projects) as specified in this Document.
  - F. Schedule B (Previous Experience with Similar Projects) as specified in this Document.
  - G. Schedule C (Key Individuals) and resumes for the key individuals listed, as specified in this Document.
  - H. Additional items as required.



This Statement of Qualifications is offered by:

Business: Wahlund Construction, Inc.  
(typed or printed name of organization)

By:   
(individual's signature)

Name: Kenneth M. Wahlund  
(typed or printed)

Title: President  
(typed or printed)

Date: 8/18/2022  
(date signed)

*(If Business is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)*

Attest:   
(individual's signature)

Name: Ryan Wahlund  
(typed or printed)

Title: V.P. of Operations  
(typed or printed)

Address for giving notices: PO Box 6486  
Eureka, CA 95502

Designated Representative:  
Name: Kyle Brown  
(typed or printed)

Title: Electrical Division Manager  
(typed or printed)

Address: PO Box 6486  
Eureka, CA 95502

Phone: (707) 499-8283

Email: kyle@wahlcon.com

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)

**Schedule A—Current Water and/or Wastewater Treatment Facility Projects**

Name of Organization						Coaste Valley Hospitality Corp.					
Project Owner			same as above			Project Name			Coaste Valley WWTP Design Build		
General Description of Project						Design and build new wastewater treatment facility					
Project Cost			\$2,495,000.00			Date Project Completed			estimated 9/30/2022 <sup>rw</sup>		
Key Project Personnel		Project Manager		Project Superintendent		Safety Manager		Quality Control Manager			
Name		RW Kyle Brown		John White		John White		Kyle Brown			
Reference Contact Information (listing names indicates approval to contacting the names individuals as a											
Name		Title/Position		Organization		Telephone		Email			
Owner		Little Fawn Polan		Owner's Rep		Ceiba legal PC		415-939-7777		littlefawn@ceiballegal.com	
Designer		Bret Rinchart		DE		Rinchart Engineering		(707) 496-3414		bret@wahlcon.com	
Construction Manager		Richard Ross		PE		Ess. Eng. services		(707) 477-2510		richard@esseng.net	

Name of						College of the Redwoods Creative Arts Building					
Project Owner			College of the Redwoods			Project Name			(see above)		
General Description of Project						Construction of new Creative Arts Building Complex (includes electrical & plumbing)					
Project Cost			\$3,682,749.42			Date Project Completed			estimated 5/31/2023		
Key Project Personnel		Project Manager		Project Superintendent		Safety Manager		Quality Control Manager			
Name		Kyle Brown		John White		<del>John White</del>		Ken Wahluond			
Reference Contact Information (listing names indicates approval to contacting the names individuals as a											
Name		Title/Position		Organization		Telephone		Email			
Owner		Kevin Carter		Facilities Director		College of the Redwoods		(707) 776-4388		Kevin-Carter@Redwoods.net	
Designer		Chris Richards		Electrical Engineer		GHD		(707) 540-9619		chris.richards@ghd.com	
Construction Manager		Chris Edge		Project Manager		S+B James		(541) 727-2729		chris.edge@sbjames.com	

Name of											
Project Owner						Project Name					
General Description of Project											
Project Cost						Date Project Completed					
Key Project Personnel		Project Manager		Project Superintendent		Safety Manager		Quality Control Manager			
Name											
Reference Contact Information (listing names indicates approval to contacting the names individuals as a											
Name		Title/Position		Organization		Telephone		Email			
Owner											
Designer											
Construction Manager											

**Schedule B—Previous Experience with Water and/or Wastewater Treatment Facility Projects**

Name of Organization						College of the Redwoods					
Project Owner			same as above			Project Name			College of the Redwoods UIR Project		
General Description of Project						Remove existing treatment plant; construct & install new system; leach fields					
Project Cost			\$30,787,981.49			Date Project			7 of 8 Projects completed 5/4/2022		
Liquidated Damages Amount (\$):			0						1 of 8 scheduled completion 4/24/2023		

replace sewer collection system

Ryan Wahlund Ken Wahlund

Key Project	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager	
Name	Kyle Brown	John White	John White <sup>RM</sup>	Kyle Brown <sup>RM</sup>	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)					
	Name	Title/Position	Organization	Telephone	Email
Owner	Julia Morrison	Vice President	College of the Redwoods	(707)476-4122	julka-morrison@redwoods.edu
Designer	Steve McHaney	PE	GHD, Inc.	(707)443-8326	Steve.mchaney@ghd.com
Construction	Brett Pinchart	PE	Pinchart Engineering	(707)446-3414	bret@wahlund.com

Name of Organization	Humboldt Bay Municipal Water District (HBMWD)				
Project Owner	HBMWD	Project Name	HBMWD Pipeline Rd		
General Description of Project	Install Tesla Backup Battery pack system for water Treatment Facility				
Project Cost	\$149,439.72	Date Project	Completed 7/31/2022		
Liquidated Damages Amount (\$):	0				

Key Project	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager	
Name	Kyle Brown	John White	John White	Kyle Brown	
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)					
	Name	Title/Position	Organization	Telephone	Email
Owner	Dee Davidson	Superintendent	HBMWD	(707)822-2918	supt@hbmwd.com
Designer	Don Sebastian	PM	Tesla	(650)222-3269	dsebastian@tesla.com
Construction	Brian Pritchard	Owner	Sensia Constr.	(707)498-0057	brian@sequoiaconst.com

Name of Organization					
Project Owner			Project Name		
General Description of Project					
Project Cost			Date Project		
Liquidated Damages Amount (\$):					
Key Project	Project Manager	Project Superintendent	Safety Manager	Quality Control Manager	
Name					
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)					
	Name	Title/Position	Organization	Telephone	Email
Owner					
Designer					
Construction					

**Schedule C—Key Individuals**

<b>Project Manager</b>	
Name of individual	Kyle Brown
Years of experience as project manager	3
Years of experience with this organization	12 (10 with Redwood Electric & 2 w/ Wahlund)
Number of similar projects as project manager	5

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

of assignment	Percent of time used for this project	Estimated project completion date
M for College of the Redwoods Creative Arts Building	10	5/31/2023

Reference Contact Information (listing names indicates approval to contact named individuals as a reference)

Name	Dale Davidson	Name	Richard Ross
Title/Position	Superintendent	Title/Position	Professional Engineer
Organization	Humboldt Bay MWD	Organization	Essential Engineering Serv
Telephone	(707)822-2918	Telephone	(707)477-2590
Email	supt@hbmwd.com	Email	richard@esseng.net
Project	Numerous Projects	Project	Coyote Valley WWTP/MCS
Candidate's role on project	Owner's Rep.	Candidate's role on project	Owner's Rep

Project Superintendent			
Name of individual		John White	
Years of experience as project superintendent		3	
Years of experience with this organization		12	
Number of similar projects as project superintendent		5	
Number of similar projects in other positions		15	
Current Project Assignments			
Name of assignment		Percent of time used for this project	Estimated project completion date
Superintendent for CR Creative Arts Building		80	5/31/2023
Reference Contact Information (listing names indicates approval to contact named individuals as a reference)			
Name	Patrick Kaspari	Name	John Craven
Title/Position	General Manager	Title/Position	Inspector of Record
Organization	McKinleyville CSD	Organization	Independent Inspector
Telephone	(707) 544-5123	Telephone	(541) 621-0216
Email	pkaspari@mcKinleyvillecsd.com	Email	jwcraven@charter.n
Project	numerous maintenance projects	Project	College of the Redwoods
Candidate's role on project	Owner's Rep	Candidate's role on project	Inspector of Record

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahluond)

Project Manager			
Name of individual		Ryan Wahlund	
Years of experience as project manager		12	
Years of experience with this organization		10	
Number of similar projects as project manager		5	
Number of similar projects in other positions		12	
Current Project Assignments			
Name of assignment		Percent of time used for this project	Estimated project completion date
Myers Flat Mutual water system		10	7/31/2023
Reference Contact Information (listing names indicates approval to contact named individuals as a reference)			
Name	Ralph Emerson	Name	Steve Deike
Title/Position	General Manager	Title/Position	Manager
Organization	Garberville Sanitary District	Organization	Town of Scotia LLC
Telephone	(209) 743-0125	Telephone	(707) 764-5063
Email	remerson@garbervillesd.org	Email	SDeike@townofscotia.com
Project	Garberville Water Treatment Plant	Project	Scotia Infrastructure
Candidate's role on project	Owner's Rep.	Candidate's role on project	Owner's Rep.

<b>Quality Control Manager</b>			
Name of individual		Ken Wahlund	
Years of experience as project superintendent		35	
Years of experience with this organization		33	
Number of similar projects as project superintendent		<del>20</del> <sup>RW</sup> 30	
Number of similar projects in other positions		30	
Current Project Assignments			
Name of assignment		Percent of time used for this project	Estimated project completion date
College of the Redwoods Creative Arts Bldg.		10	5/31/2023
Reference Contact Information (listing names indicates approval to contact named individuals as a reference)			
Name	Mike Flockart	Name	Steve McHaney
Title/Position	Maintenance Manager	Title/Position	Professional Engineer
Organization	Bear River Rancheria	Organization	GHD
Telephone	(707) 502-1146	Telephone	(707) 599-6931
Email		Email	steve.mchaney@ghd.co
Project	Bear River WWT Design/Build	Project	College of the Redwoods I
Candidate's role on project	Owner's Rep.	Candidate's role on project	Design Engineer

END OF DOCUMENT

DOCUMENT 00452

AFFIRMATIVE ACTION PROGRAM CERTIFICATE

The Bidder hereby certifies that Bidder is in compliance with the Civil Rights Act of 1964, Executive Order No. 11246, and all other applicable Federal and State laws and regulations relating to equal opportunity employment.

BIDDER

[Handwritten Signature]  
(Signature)

8/15/2022  
(Date)

Bidder's Name: Wahlund Construction, Inc.

Address: PO Box 6486  
Eureka, CA 95502

(The above certification of the Bidder regarding its affirmative action program shall be completely, signed, and submitted by each Bidder and shall be a part of the Contract Documents.)

END OF DOCUMENT

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)



DOCUMENT 00456

NON-COLLUSION AFFIDAVIT

State of California

County of Humboldt ss.

The undersigned declares that this Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other Bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the Bid are true; and, further, that the Bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Any person executing this declaration on behalf of a Bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity hereby represents that they have full power to execute, and does execute, this declaration on behalf of the Bidder.

I declare under penalty of perjury under state laws that the foregoing is true and correct.

BIDDER

[Signature]  
(Signature)

7/12/2022  
(Date)

Subscribed and sworn to before me on \_\_\_\_\_ (date) at \_\_\_\_\_ (location)

\_\_\_\_\_  
(Signature of Notary Public) (seal)

END OF DOCUMENT

*See attached Jurat*

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

**CALIFORNIA JURAT WITH AFFIANT STATEMENT**

**GOVERNMENT CODE § 8202**

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer(s), not Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

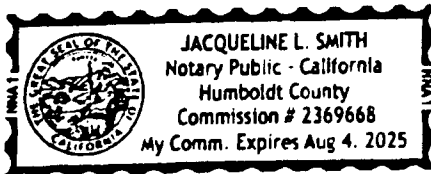
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Humboldt

Subscribed and sworn to (or affirmed) before me  
on this 12 day of July, 2022  
by Date Month Year

(1) Ryan Thomas Wahlund  
(and (2) \_\_\_\_\_),  
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence  
to be the person(s) who appeared before me.



Signature Jacqueline L. Smith  
Signature of Notary Public

Seal  
Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)

### CERTIFICATION REGARDING AMERICAN IRON AND STEEL (AIS) REQUIREMENTS

(submit with bid)

The Bidder certifies, to the best of his or her knowledge and belief, the following:

- (1) Identification of American-made Iron and Steel Products: The Bidder certifies that this bid effects the Bidder's best, good faith effort to identify domestic sources of iron and steel products for every component contained in the bid solicitation where such American-made components are required. The term "iron and steel products" means the following products made primarily of iron or steel - lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.
- (2) Verification of U.S. Production: If this bid is accepted, the Bidder agrees that it will provide, to the Owner, reasonable, sufficient, and timely verification of the U.S. production of each Iron and Steel Product incorporated into the Project.
- (3) Documentation Regarding Non-American-made Iron and Steel: The Bidder certifies that for any Iron or Steel Product that is not American-made but was incorporated in the development of this bid, is allowed by waiver of the U.S. Environmental Protection Agency and such waiver is attached to this certification.
- (4) Warranty of Bidder: The Bidder hereby represents and warrants to and for the benefit of Owner that (a) Bidder has reviewed and understands the American Iron and Steel Requirement, and (b) if the bid is selected, all of the iron and steel products used in the project will be produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is attached to this certification.

THE UNDERSIGNED CERTIFIES THAT THE CONTRACTOR WILL COMPLY WITH THE ABOVE REQUIREMENTS.

CONTRACTOR OR

SUBCONTRACTOR NAME: Wahlund Construction, Inc.

CERTIFIED BY:

NAME: Ryan Wahlund TITLE: V.P. of Operations

SIGNATURE: *Ryan Wahlund* DATE: 8/15/2022

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)

Boards

## Disadvantaged Business Enterprise (DBE) Program DBE Subcontractor Performance Form

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. A Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <b>SJR MASONRY &amp; CONSTRUCTION</b>		Project Name <b>ARCATA WWT FACILITY IMPROVEMENT PROJECT</b>	
Bid / Proposal No.	Assistance Agreement ID No. (if known)	Point of Contact	
Address <b>PO BOX 2233 MCKINLEYVILLE, CA 95519</b>			
Telephone No. <b>707-839-2103</b>		Email Address <b>SJMASONRY@outlook.com</b>	
Prime Contractor Name <b>STEVEN J RODRIGUEZ</b>		Issuing/Funding Entity	

Contract Item Number	Description of Work Submitted from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<b>BLOCK WALLS FOR ELECTRICAL BUILDING</b>	<b>214,800-</b>
	<b>BLOCK WALLS FOR UV ELECTRICAL BUILDING</b>	<b>65,200.-</b>
DBE Certified By: <u>DOT</u> SBA		Meets/exceeds EPA certification standards?
Other: _____		YES NO <u>Unknown</u>

<sup>1</sup> A DBE is a Disadvantaged, Minority, or Woman Business Enterprise that has been certified by an entity from which EPA accepts certifications as described in 40 CFR 33.204-33.2015 or certified by EPA. EPA accepts certifications from entities that meet or exceed EPA certification standards as described in 40 CFR 33.202.

<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an award of financial assistance.

FORM 4500-3 (DBE Subcontractor Performance Form)

May 2022

00820-Attachment D-6

99130

per:\Carollo\Documents\Client\CA\Arcata\9913C1S\Specifications\00820 (BidSet)

Packet Pg. 124

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
<i>Ryan Wehlund</i>	Ryan Wehlund
Title	Date
V.P. of Operations	8/18/2022

Subcontractor Signature	Print Name
<i>Stev Rodriguez</i>	STEVEN J RODRIGUEZ
Title	Date
OWNER	8/17/22

The public reporting and record keeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Do not send the completed form to this address.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

## Disadvantaged Business Enterprise (DBE) Program DBE Subcontractor Performance Form

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Subcontractor Name <i>Hillside Drilling Inc</i>		Project Name ARCATA WASTEWATER TREATMENT FACILITIES IMPROVEMENTS PHASE 1 PROJECT	
Bid / Proposal No. Project Number: 67-004	Assistance Agreement ID No. (if known) Unknown at this time	Point of Contact <i>Brandon Pionneberg</i>	
Address <i>539 S 11th St Richmond CA 94804</i>			
Telephone No. <i>530 209 4815</i>	Email Address <i>Brandon@hillside drilling.co</i>		
Prime Contractor Name Wahlund Construction, Inc.		Issuing/Funding Entity California State Revolving Fund (CASRF)	

Contract Item Number	Description of Work Submitted from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
	<i>P1 piers 3,150 LF P2 piers - 2,964 LF</i>	<i>\$2,851,300.</i>

DBE Certified By: DOT <input type="checkbox"/> <u>X</u> SBA <input checked="" type="checkbox"/> Other: _____	Meets/exceeds EPA certification standards? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown
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**FORM 4500-3 (DBE Subcontractor Performance Form)**

May 2022

00820-Attachment D-6

9913C10

pw://Carollo/Documents/Client/CA/Arcata/9913C10/Specifications/00820 (Bid Set)

I certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
<i>Ryan Wahlund</i>	Ryan Wahlund
Title	Date
V.P. of Operations	8/18/2022

Subcontractor Signature	Print Name
<i>Brandon Bonneberg</i>	Brandon Bonneberg
Title	Date
Admin Asst	8/18/2022

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## Disadvantaged Business Enterprise (DBE) Program DBE Subcontractor Performance Form

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. A Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <b>FRANK ZABEL TRUCKING, INC.</b>		Project Name ARCATA WASTEWATER TREATMENT FACILITIES IMPROVEMENTS PHASE 1 PROJECT	
Bid / Proposal No. Project Number: 67-004		Assistance Agreement ID No. (if known) Unknown at this time	Point of Contact <b>FRANKLIN ZABEL</b>
Address <b>P.O. Box 6236, EUREKA, CA 95502 / 4726 CLAMMING RD. EUREKA, CA 95503</b>			
Telephone No. <b>707-443-4277</b>		Email Address <b>zabeltrucking@gmail.com</b>	
Prime Contractor Name Wahlund Construction, Inc.		Issuing/Funding Entity California State Revolving Fund (CASRF)	

Contract Item Number	Description of Work Submitted from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
1.G 1.K. } 1.E. }	EXCAVATOR - CAT 320E - RENTAL 3 MONTHS @ \$12,000.00 PER MONTH	\$36,000.00
	DOZER - CAT D5N - RENTAL 2 MONTHS @ \$9,500.00 PER MONTH	\$19,000.00
DBE Certified By: <input checked="" type="checkbox"/> DOT <input checked="" type="checkbox"/> SBA Other: _____		Meets/exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

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<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an award of financial assistance.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)



under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
<i>[Handwritten Signature]</i>	<i>Kimball M. Wahlen</i>
Title	Date
<i>President</i>	<i>8/17/2022</i>

Subcontractor Signature	Print Name
<i>Franklin Zabel</i>	<i>FRANKLIN ZABEL</i>
Title	Date
<i>PRESIDENT</i>	<i>08-17-2022</i>

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTF Improvements Project to Wahiuna)



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This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. A Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Subcontractor Name <b>GR SUNDBERG, INC.</b>		Project Name ARCATA WASTEWATER TREATMENT FACILITIES IMPROVEMENTS PHASE 1 PROJECT	
Bid / Proposal No. Project Number: 67-004	Assistance Agreement ID No. (if known) Unknown at this time	Point of Contact <b>RANDY SUNDBERG</b>	
Address <b>5211 BOYD RD ARCATA CA 95521</b>			
Telephone No. <b>767 825 6565</b>	Email Address <b>RANDY@GRSUNDBERG.COM</b>		
Prime Contractor Name Wahlund Construction, Inc.		Issuing/Funding Entity California State Revolving Fund (CASRF)	

Contract Item Number	Description of Work Submitted from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
1 G ↓	Supply Ag. Base materials 10,500 tons @ 17.42  Mobilization	\$187,435  \$3,500
DBE Certified By <input checked="" type="checkbox"/> DOT <input checked="" type="checkbox"/> SBA Other <u>SUPPLIER CLEARING HOUSE</u>		Meets/exceeds EPA certification standards? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown

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<sup>2</sup> Subcontractor is defined as a company, firm, joint venture, or individual who enters into an agreement with a contractor to provide services pursuant to an award of financial assistance.

I, the undersigned, under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
<i>[Signature]</i>	<i>Ken Wahlund</i>
Title	Date
<i>President</i>	<i>8/17/2022</i>

Subcontractor Signature	Print Name
<i>[Signature]</i>	<i>RANDY SUNDARE</i>
Title	Date
<i>PRESIDENT</i>	<i>8-17-22</i>

The public reporting and record keeping burden for this collection of information is estimated to average three (3) hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Do not send the completed form to this address.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)

## Disadvantaged Business Enterprise (DBE) Program DBE Subcontractor Performance Form

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. A Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Contractor Name <b>Tully Consulting Group</b>		Project Name ARCATA WASTEWATER TREATMENT FACILITIES IMPROVEMENTS PHASE 1 PROJECT	
SA / Proposal No. Project Number: 67-004	Assistance Agreement ID No. (if known) Unknown at this time	Point of Contact Kelly Winchester	
Address 1650 N. Lincoln St., Suite A, Dixon, CA 95620			
Telephone No. 707-693-1926	Email Address estimating@tullygroup.com		
Prime Contractor Name Wahlund Construction, Inc.	Issuing/Funding Entity California State Revolving Fund (CASRF)		

Contract Item Number	Description of Work Submitted from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
Special Condition 8A	Storm Water Pollution Prevention Program (SWPPP)	\$4,540
DBE Certified By: <input checked="" type="checkbox"/> DOT <input type="checkbox"/> SEA <input type="checkbox"/> Other: _____		Meets/exceeds EPA certification standards? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Unknown

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Prime Contractor Signature	Print Name
<i>Ryan Wahlund</i>	Ryan Wahlund
Title	Date
VP. of Operations	8/17/2022

Subcontractor Signature	Print Name
<i>Patricia Paxton</i>	Patricia Paxton
Title	Date
Estimator	08/16/2022

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Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTF Improvements Project to Wahlund)

# DBE Subcontractor Performance Form

11.B.b

This form is intended to capture the DBE<sup>1</sup> subcontractor's<sup>2</sup> description of work to be performed and the price of the work submitted to the prime contractor. A Financial Assistance Agreement Recipient must require its prime contractor to have its DBE subcontractors complete this form and include all completed forms in the prime contractor's bid or proposal package.

Name: <b>Gary Johnston</b> DBA: <b>GLJ Construction</b>		Project Name: <b>ARCATA WASTEWATER TREATMENT FACILITIES IMPROVEMENTS PHAS</b>	
Proposal No. / Project Number: <b>67-004</b>	Assistance Agreement ID No. (if known): <b>Unknown at this time</b>	Point of Contact: <b>Gary</b>	
Address: <b>PO BOX 922 Blue Lake CA 95526</b>			
Phone No.: <b>707-407-5544</b>	Email Address: <b>glylcequip@jgm</b>		
Prime Contractor Name: <b>Wahlund Construction, Inc.</b>		Issuing/Funding Entity: <b>California State Revolving Fund (CASRF)</b>	

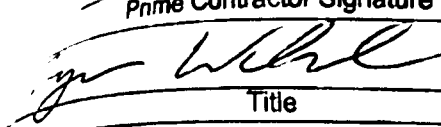
Contract Item Number	Description of Work Submitted from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Submitted Prime Cost
<b>IF</b>  <del>39</del>	<b>5000 tons AB material at \$16.00 per ton</b> <b>AB Trucking \$155 at 258 hours</b>	<b>\$80.0</b> <b>\$49.0</b>
	<b>60 tons AB material at \$16.00 per ton</b> <b>AB trucking \$155 at 3 hours</b>	<b>\$96</b> <b>\$46</b>
DBE Certified By: <b>(SBA)</b>		Meets/exceeds EPA certification standards? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown

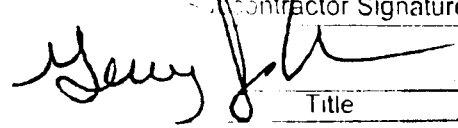
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Prime Contractor Signature	Print Name
	Ryan Wahlund
Title	Date
V.P. of operations	8/17/2022

Subcontractor Signature	Print Name
	Gary Johnston
Title	Date
owner	8-17-2022

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Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

DBE Subcontractor Performance Form

11.B.b

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Contractor Name <b>Zabel Enterprise LLC</b>		Project Name ARCATA WASTEWATER TREATMENT FACILITIES IMPROVEMENTS PHASE 1 PROJECT	
Proposal No. Project Number: 67-004	Assistance Agreement ID No. (if known) Unknown at this time	Point of Contact <b>Wade Zabel</b>	
Address <b>4695 Cummings Rd. Eureka, CA 95503</b>			
Telephone No. <b>707-798-2101</b>		Email Address <b>Zabelenterprise1@gmail.com</b>	
Prime Contractor Name <b>Vahlund Construction, Inc.</b>		Issuing/Funding Entity California State Revolving Fund (CASRF)	

Contract Item Number	Description of Work Submitted from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
1.G.	Ag Base Rock Hauling 160.00 per hr. @ 10,500 tons ÷ 16 tons per hr. Note: GRS pit @ 299.50 Arcata WWTF south 6 street	\$ 105,000
DBE Certified By: <input checked="" type="checkbox"/> DOT <input type="checkbox"/> SBA Other: _____		Meets/exceeds EPA certification standards? <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> Unknown

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FORM 4500-3 (DBE Subcontractor Performance Form)

May 2022


00820-Attachment D-6

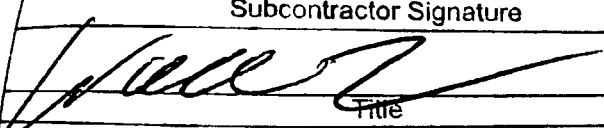
99136

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWWTF Improvements Project to Vahlund)



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Prime Contractor Signature	Print Name
	Ryan Wahlund
Title	Date
V.P. of operations	8/17/2022

Subcontractor Signature	Print Name
	Wade Zabel
Title	Date
owner	8/17/2022

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Contractor Name <b>METAL FAB</b>		Project Name ARCATA WASTEWATER TREATMENT FACILITIES IMPROVEMENTS PHASE 1 PROJECT	
Proposal No. Project Number: 67-004	Assistance Agreement ID No. (if known) Unknown at this time	Point of Contact <b>KEN HU</b>	
Address <b>4205 B ST., STE A, STOCKTON, CA 95206</b>			
Telephone No. <b>925-443-7903</b>	Email Address <b>kho@f2metalFab.com</b>		
Prime Contractor Name Wahlund Construction, Inc.	Issuing/Funding Entity California State Revolving Fund (CASRF)		


Contract Item Number	Description of Work Submitted from the Prime Contractor Involving Construction, Services, Equipment or Supplies	Price of Work Submitted to the Prime Contractor
<b>1B, 1I, 1K 1L, 1M, 1N 1O</b>	<b>MISC METALS/ STRUCTURAL STEEL (Supply only)</b>	<b>\$1,108,800.56</b>
DBE Certified By: <input type="checkbox"/> DOT <input type="checkbox"/> SBA <input checked="" type="checkbox"/> Other: <b>MBE</b>		Meets/exceeds EPA certification standards? YES    NO <input checked="" type="checkbox"/> Unknown

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 of a replacement of a subcontractor, I will adhere to the replacement requirements  
 in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	Print Name
	Ryan Wahlund
Title	Date
P. of Operations	8/17/2022

Subcontractor Signature	Print Name
	KEN HO
Title	Date
ESTIMATOR	8/16/22

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)

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## Disadvantaged Business Enterprise (DBE) Program DBE Subcontractor Utilization Form

This form is intended to capture the prime contractor's actual and/or anticipated use of identified certified DBE<sup>1</sup> subcontractors<sup>2</sup> and the estimated dollar amount of each subcontract. A Financial Assistance Agreement Recipient must require its prime contractors to complete this form and include it in the bid or proposal package. Prime contractors should also maintain a copy of this form on file.

Prime Contractor Name <b>Wahlund Construction, Inc.</b>		Project Name <b>Arcata Wastewater Treatment Facilities Impr</b>	
6.3 / Proposal No. <b>Project Number: 67-004</b>	Assistance Agreement ID No. (if known) <b>unknown</b>	Point of Contact <b>Ryan Wahlund</b>	
Address <b>PO Box 6486, Eureka, CA 95502</b>			
Telephone No. <b>(707) 268-0150</b>		Email Address <b>ryan@wahlund.com</b>	
Issuing/Funding Entity <b>California State</b>			

I have identified potential DBE certified subcontractors.  YES  NO If yes, please complete the table below. If no, please explain:

Subcontractor Name/ Company Name	Company Address / Phone / Email	Estimated Dollar Amount	Currently DBE Certified?
Frank Zabel Trucking, Inc.	PO Box 6236, Eureka, CA 95502 (707) 443-4277 ; zabeltrucking@gmail.com	\$55,000.00	Yes
GR Sundberg, Inc.	5211 Boyd Rd., Arcata, CA 95521 (707) 825-6565 ; randy@grsinc.biz	\$186,935.00	Yes
GLJ Construction	Po Box 922, Blue Lake, CA 95525 (707) 407-5544 ; gljllcequip@gmail.com	\$121,425.00	Yes

--Continue on back if needed--

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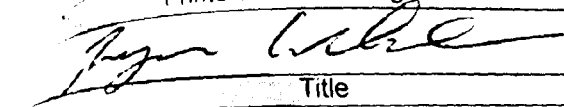
**WAHLUND CONSTRUCTION, INC.**  
 A General Engineering Contractor  
 #678993 A, B, C-10 (Electrical), C-22 (Asbestos & Hazmat)  
 DIR No. 1000006404

FORM 4500-4 (DBE Subcontractor Utilization Form) Continued

Contractor Name/ Company Name	Company Address / Phone / Email	Estimated Dollar Amount	Currently DBE Certified?
Tully Consulting Group	1650 N. Lincoln St., Suite A, Dixon, CA 95620 (707) 693-1926 ; estimating@tullygroup.com	\$4,540.00	yes
Zabel Enterprise LLC	4695 Cummings Rd., Eureka, CA 95503 (707) 798-2101 ; zabelenterprisellc@gmail.com	\$105,000.00	yes
B2 Metal Fab	4205 B St., Ste A, Stockton, CA 95206 (925) 443-7908 ; kho@g2metalfab.com	\$1,108,800.56	yes
SSR Masonry	PO Box 2233 McKinleyville, CA 95519 (707) 839-2103 sjrmasantry@outlook.com	\$280,000.00	yes
Hillside Drilling Company, Inc.	P.O. Box 70130 Pt. Richmond, CA 94807 (510) 234-6532 ; matt@hillsidehrilling.com	\$2,851,300.55	yes

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTf Improvements Project to Wahlund)

I, the undersigned, do hereby certify under penalty of perjury that the forgoing statements are true and correct. Signing this form does not signify a commitment to utilize the subcontractors above. I am aware that in the event of a replacement of a subcontractor, I will adhere to the replacement requirements set forth in 40 CFR Part 33 Section 33.302 (c).

Prime Contractor Signature	[Redacted]	Print Name
		Ryan Wahlund
Title	[Redacted]	Date
VP of Operations		8/18/2022

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTF Improvements Project to Wahlund)

**CERTIFICATION OF COMPLIANCE WITH STATE REVOLVING FUND CONDITIONS**

This certification relates to the NCD I/O Replacement Construction Contract proposed by the Owner which expects to finance the proposed Construction Contract with assistance from the State Revolving Fund (SRF) loan program supported in part with funds directly made available by grants from the United States Environmental Protection Agency. I am the undersigned prospective construction contractor or subcontractor.

I certify that I have read the SRF Program Requirements and agree to incorporate the following into the bid and or contract:

- DEBARMENT AND SUSPENSION (EXECUTIVE ORDER 2549)
- EQUAL EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 1246)
- FEDERAL LABOR STANDARDS PROVISION
- AMERICAN IRON AND STEEL PROVISION
- DISADVANTAGED BUSINESS ENTERPRISE (DBE) AND SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION AND OBLIGATION

I agree that I will obtain identical certifications from prospective lower-tier construction subcontractors prior to the award of any lower-tier construction subcontracts with a price exceeding \$10,000. I also agree that I will retain such certifications in my files.

The Contractor certifies that neither it nor its principals is presently debarred.

Ryan Wahlund 8/15/2022  
(Signature of Authorized Official) (Date)

Ryan Wahlund, V.P. of Operations  
(Name and Title of Authorized Official [Print or Type])

Wahlund Construction, Inc.  
(Name of Prospective Construction Contractor or Subcontractor [Print or Type])

690 Indianola Rd Eureka, CA 95503 (707)268-0150  
(Address and Telephone Number of Prospective Construction Contractor or Subcontractor [Print or Type])

68-0388471  
(Employer Identification Number of Prospective Construction Contractor or Subcontractor)

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)

ATTACHMENT A-2  
ENVIRONMENTAL MITIGATION AND MONITORING REQUIREMENTS CERTIFICATE

The Bidder hereby certifies that Bidder has read, understands, and include provisions in the BID for the Environmental Mitigation and Monitoring Requirements, as outlined in SECTION 01061, including Attachment A Table A-1.

BIDDER

*[Handwritten Signature]*  
(Signature)

8/15/2022  
(Date)

Bidder's Name: Wahlund Construction, Inc.

Address: 690 Indianola Road  
Eureka, CA 95503

(The above certification of the Bidder regarding their understanding, and compliance with these requirements shall be filled out completely, signed, and submitted by each Bidder with the BID and shall be a part of the Contract Documents.)

AD6 Addendum No. 6

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)



**\*\*\* Must be Submitted by ALL BIDDERS \*\*\***

THE CONTRACTOR, SUBCONTRACTOR, OR SERVICE PROVIDER, BY HIS/HER SIGNATURE(S) AFFIXED HERETO, DECLARES UNDER PENALTY OF PERJURY OR NON-COMPLIANCE ENFORCEMENT THAT:

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701 (u) (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 75 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each, and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding the subcontractor is in violation of the regulations in 24 CFR Part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 75.
- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR Part 75.
- F. Noncompliance with HUD's regulations in 24 CFR Part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- G. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b)

requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7 (b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

*Ryan Wahlund*  
Contractor's Authorized Signature

8/15/2022  
Date

Ryan Wahlund, V.P. of Operations  
Authorized Signatory's Name and Title

Arcata Wastewater Treatment Facilities Improvements Phase  
Name of Project      Project Number: 67-004

**Note:** The person signing must be authorized by owner, developer or contractor to carry out the Contractor's Section 3 Project Implementation Plan.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - A WTF Improvements Project to Wahlund)



August 25, 2022

**(VIA EMAIL AND PERSONAL DELIVERY)**

Karen Diemer, City Manager  
City of Arcata  
736 F Street  
Arcata, CA 95521  
[citymgr@cityofarcata.org](mailto:citymgr@cityofarcata.org)

Dear Ms. Diemer:

This firm, along with Russell Gans at the Mitchell Law Firm, LLP, represents Wahlund Construction, Inc. (“Wahlund”) in connection with the bid protest asserted against Wahlund’s bid on the “Phase 1 – Arcata WWTF Improvement Project,” (Client Project No. 67-004) (the “Project”) in Arcata, California (“City” or “Owner”). The Project’s Contract/Technical Specifications dated May 19, 2022, (“Specifications”) contained the Advertisement for Bids, Bid Requirements, and related bid documents. This letter is Wahlund’s response to the protest of North Coast Constructors (“NCC”) dated August 23, 2022.

On August 18, 2022, the City opened bids for the Project. The Project’s Advertisement for Bids stated that “Owner anticipates that the Project’s total bid price will be approximately \$30,000,000 to \$35,000,000.” (Specifications (“Spec”) 00111-1.)

When bids were opened, Wahlund was the low bidder at \$51,495,000. NCC’s bid was \$62,888,000—over \$11 million higher. NCC now attempts to create smoke where there is no fire to pocket an \$11 million windfall.

As explained below, NCC’s protest is both procedurally and substantively defective. Procedurally, NCC’s protest should be rejected because NCC was not an eligible bidder and did not submit a responsive bid. Substantively, even if the City determines that NCC has standing to submit a protest, Wahlund is the lowest responsive and responsible bidder and none of the alleged defects identified in NCC’s bid protest justify the City rejecting Wahlund’s bid.

{00027117.3}

**A. Because NCC is not an eligible bidder and NCC's bid is not responsive, NCC lacks standing to assert this protest.**

**1. Because NCC did not participate in either of the two mandatory pre-bid conferences, it is not an eligible bidder.**

NCC's bid is non-responsive because NCC failed to comply with the Specifications' express requirements. Under Article 4 of the Specifications, titled "Pre-Bid Conference," the Specifications explain that two "mandatory pre-bid conferences" will be held. Article 4 further states that "Proposals will not be accepted from Bidders who do not attend one of the two pre-bid conferences." (Specifications, 00200-3, 4.01(A).) The Specifications further provide that "[i]t is each Bidder's responsibility to sign in at the pre-bid conference to verify its participation." (Specifications, 00200-3, 4.01(B).) Most important, the Specifications expressly require that "*Bidders must sign in using the name of the organization that will be submitting a Bid.*" (Specifications, 00200-3, 4.01(B)(1).)

The City posted the "ELIGIBLE BIDDERS LIST" on the Project website.<sup>1</sup> This Eligible Bidder's list are the sign-in sheets from the Mandatory Pre-Bid Conferences that took place on June 9, 2022 and June 16, 2022. NCC's bid uses NCC's license number, but no sign-ins for North Coast Constructors are shown on either sign-in sheet. Accordingly, NCC did not satisfy the express requirement of Specification Article 4.

**2. NCC also lacks standing because its bid is non-responsive because it omitted any references to qualifications of NCC.**

In addition, NCC's bid did not provide any experience information about NCC. Rather, NCC included experience information only for the constituent joint-venture partners, but did not demonstrate any experience for NCC itself. The Specifications expressly defined "Bidder" as "[a]n individual or entity that submits a Bid to Owner." (Specifications, 00700-1, 1.01(A)(5).) In addition, NCC's bid—including its own Qualifications Statement—identified "North Coast Constructors" as the "Bidder." (See NCC Bid, Document 00451A (Qualifications Statement), Document 00430 (Bid Bond).)

Here, NCC's bid was submitted by "North Coast Constructors," Contractor's License Number 1095158,<sup>2</sup> and therefore North Coast Constructors is the "Bidder" for purposes of the Project. Under Specification Article 9, the "*Bidder* must demonstrate a minimum of 5 years of experience in projects similar in nature and scope to this project." (See section 9.03 (emphasis added).) Further, section 9.04 states that "*Bidder* must demonstrate successful completion" of projects of various sizes in the last five years. (See

<sup>1</sup> <https://cityofarcata.org/bids.aspx?bidID=92>

<sup>2</sup> North Coast Constructors License No. 1095158 was issued on August 9, 2022.

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section 9.04 (emphasis added).) NCC provided no history of projects completed by NCC. According to the Contractor's State License Board website, NCC was licensed on only August 9, 2022.

Instead, NCC relied on experience history of its joint venture partners. However, those joint venture partners were not the "Bidder." Rather, NCC was the bidder, and used its license number on its Bid. Moreover, Specification Section 10.01(A) expressly requires that if the Bidder is a joint venture, then it must submit "*separate* Qualifications Statements for each Joint Venturer, as required in this Document." (Emphasis added.) The Specifications do not suggest that the "separate" Qualifications Statements for each joint venturer would be in lieu of or in place of the statement of qualifications by the Bidder. Indeed, NCC's joint venture contractor's license and DIR registration occurred mere days before bid opening, confirming that NCC has no prior experience *as an entity*. Thus, NCC's failure to provide Qualifications Statements for NCC as an entity makes NCC's bid entirely non-responsive because it did not respond to the request for information about the Bidder. As a result, NCC has no basis on which to assert its protest.

**B. The City must accept Wahlund's bid because Wahlund's bid is responsive.**

NCC's attempt to disguise the issues raised in its protest as responsiveness issues misses the mark. If anything, they are responsibility issues. California public-bidding laws draw a clear distinction between responsiveness and responsibility. (See *Taylor Bus Service, Inc. v. San Diego Bd. of Educ.* (1987) 195 Cal.App.3d 1331, 1341. Under *Taylor Bus Service, Inc.*, a "bid is responsive if it promises to do what the bidding instructions demand." (*Taylor Bus Services, Inc.*, supra, at 1341.) "A bidder is responsible if it can perform the contract as promised." (*Taylor Bus Services, Inc.*, supra, at 1341.) "Responsible bidder" is defined in section 1103 of the Public Contracts Code as "a bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract." Section 1103 "is focused on the bidder, not the bid." (*Great West Contractors, Inc. v. Irvine Unified School Dist.* (2010) 187 Cal.App.4th 1425, 1451.)

California courts have recognized that "[i]n most cases, the determination of nonresponsiveness will not depend on outside investigation or information and a determination of nonresponsiveness will not affect the reputation of the bidder." (*Great West Contractors, Inc.* at 1453 citing *Taylor Bus Service*, at 1341.)

Here, Wahlund's bid promises to perform the project as proscribed by the Specifications, and Wahlund also answered each of the questions presented in the bid package, and therefore complied with the call of the bid. Thus, Wahlund's bid was responsive. NCC's challenge is that the responses given by Wahlund indicates that Wahlund is non-responsive.

### 1. NCC's argument that Wahlund did not meet the qualifications requirements is without merit.

Contrary to NCC's arguments, Wahlund complied with the literal requirements of the bid—that is all that is required to be a responsive bid. NCC claims that Wahlund failed to comply with Specification Document 00451A because it failed to list adequate projects demonstrating its experience. However, NCC misinterprets the requirements of section 00451A.

To start with, the issue of whether the listed projects were adequate is a responsibility issue. The bid documents themselves provide as much. The Specifications—indeed, Document 00451A on which NCC's protest relies—expressly states that “Engineer has sole discretion in the determination of qualified businesses.” (Specifications, 00451A-1, section 1.01.) This language confirms the broad discretion the City enjoys in making a responsibility determination.

Article 9, section 9.04, of Document 00451A (Specification, 00451A-6) requests the bidder to “[l]ist a minimum of 3 and a maximum of 6 projects completed in the last 5 years in Schedule B and provide indicated information to demonstrate the Business's experience with Water / Wastewater Treatment facility projects, similar in type and cost of construction.” Wahlund complied with this requirement by listing wastewater treatment projects, including a \$30 million project for College of the Redwoods to “remove existing treatment plant” and “construct and install new system.” Wahlund also listed a \$15 million project for “Fort Bragg WWTP Upgrades,” a \$2.5 million project for “Mendocino WWTP Upgrades,” an \$11.2 million project for “City of Fortuna Wastewater Treatment Facility 2004 expansion,” and a \$37.6 million project for “City of Crescent City Water Pollution Control Facilities.” These were all water or wastewater projects. In addition, Wahlund listed several underground and sewer projects.

Section 9.04 also states that “Bidder must demonstrate successful completion during the last 5 years of at least 3 water and/or wastewater treatment facility project comparable in nature and scope to this project.” All but two of the projects Wahlund listed are wastewater or water treatment facilities, and thus Wahlund's bid was responsive on this point as well.

Finally, section 9.04 states that the Bidder must show “one project with a dollar value of at least 80 percent of the value bid for this project.” The clause does not require the 80% project to be a wastewater or water treatment facility, and it does not require it to be in the last five years.<sup>3</sup> Notably, the Specifications do not require the contract *price* of the

<sup>3</sup> The express language of the Specifications does not require the “80%” project to have been completed in the preceding five years, nor does it specifically require it to be a “water/wastewater project” as NCC asserts. The reference to “during the last 5 years” is applicable only to the 3 water and/or wastewater treatment facility projects. Section 9.04 requires two separate showings: (1) successful completion

prior project price to be 80% of the Project price, but rather requires that the *value* of the prior project be 80% of the bid amount. The central purpose of listing past projects is to demonstrate that the bidder can perform projects of similar size and complexity. Given the extreme cost-increases suffered recently in the construction industry, the contract price of a past project can be a useful proxy for the overall size and complexity of a project only if the contract price is adjusted for cost inflation.

Wahlund's College of the Redwoods project was bid in January 2019 for a total contract price of \$30,787,981.49. According to California's Department of General Services "Construction Cost Index," construction prices have climbed 36.29% since January 2019.<sup>4</sup> Thus, the College of the Redwoods project bid just three years ago more than meets the 80% requirement when adjusted for 2022 dollars. Likewise, Wahlund's Crescent City Water Pollution Controls project completed in 2011 was \$37,601,542—the equivalent of more than \$60 million in 2022 dollars.<sup>5</sup>

The engineer's estimate underscores this phenomenon. The Project's engineer estimated a \$30 million to \$35 million contract price as of May 2022. However, the low bid on this Project is just over \$51 million just a few months later.

Each of Wahlund's identified projects are located on California's Northern Coast, demonstrating that Wahlund is familiar with the local and regional construction markets, the requirements for projects in that area, and jobsite conditions. One might wonder whether this local knowledge is what allowed Wahlund to bring the contract price in \$11 million below NCC's bid

## **2. NCC's argument that WCI did not provide sufficient qualifications for the electrical work is likewise without merit.**

NCC ignores the plain language of the Bid Requirements, which calls not for listing "electrical" projects or "electrical portions" of projects, but rather asks for wastewater and water treatment projects performed by the "Electrical Subcontractor Business." (Specifications, 00451B-5, Section 9.01.) The term "Electrical Subcontractor Business"

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during the last five years of at least 3 water and/or wastewater treatment facility project; and (2) successful completion of one project with a dollar value of at least 80 percent of the value bid for this project.

<sup>4</sup> See <https://www.dgs.ca.gov/RES/RESOURCES/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/DGS-California-Construction-Cost-Index-CCCI>.

<sup>5</sup> Note that NCC submitted qualifications for Myers & Sons Construction, LLC as having performed contracts valued at \$54.6 million, \$37.146 million, \$37.922 million, \$16 million, \$21.69 million, and \$10.8 million. Though Myers & Sons listed more larger contracts, three of its listed contracts were smaller than several of the contracts listed by Wahlund. NCC submitted no information for its own qualifications. More important, the standard is not which Bidder is most qualified, but rather whether the lowest bidder is responsible.

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is not defined anywhere in the Specifications. Thus, it must have the meaning ordinarily give to the words, which would be an electrical subcontractor.

Here, there is no “Electrical Subcontractor Business” because Wahlund is self-performing the electrical work under its own C-10 license. There is no “electrical subcontractor” in Wahlund’s bid and thus Wahlund had no obligation to list anything in response to Document 00451B. Thus, there is no basis for finding Wahlund “failed” to provide this information because there is no information to provide. Consequently, there is no basis to find that the bid was nonresponsive.

Even if NCC argues that the intent of the Specifications was for Wahlund to list data about Wahlund since it would be self-performing the electrical scope, the Specifications require listing only water and wastewater treatment projects. Wahlund had already listed those projects in response to Document 00451A, so any additions to this list would have been duplicative.

NCC contends that Wahlund “only listed one completed electrical project (Humboldt Bay Muncipal Water District” which had a total contract value of \$149,439—substantially less than the \$8,480,000 required by the bid documents.” NCC’s argument hinges on the argument that the “electrical portion” of Wahlund’s bid is \$10,600,000, and therefore it was required to list a project that exceeded \$8,480,000 to meet the 80% requirement.

However, Document 00451B does not specify that it seeks information about prime contracts in which the electrical subcontractor was involved, or the subcontract under which the electrical subcontractor worked. As noted above, Wahlund has a C-10 license and self-performs the electrical scope on many projects, which like this project, is not limited to electrical work. Rather, the electrical work was one component of the overall scope. Since the description of for this item is unclear, it would be improper to reject Wahlund’s bid as nonresponsive on this basis.

Moreover, NCC’s methodology for determining the portion of projects that are “electrical” appears nowhere in the Specifications. NCC unilaterally relies on one bid line item (Item 1.Q), and without any explanation attributes the entirety of that line item as being the “electrical portion” of Wahlund’s bid. In so doing, NCC assumes that the entirety of that line item is “electrical” work and then uses that number to calculate what 80% would be. There is no support in the Specifications or Wahlund’s bid for this methodology or calculation, and thus it cannot be used as a basis to reject the bid.



**3. NCC’s argument that Wahlund has insufficient experience because its RME obtained his C-10 license in January 2021 is also without basis either in fact, or in the bid.**

NCC contends that Wahlund “failed to list the required project experience, likely because WCI did not have an electrical license until less than two years ago. WCI did not have a C-10 RME until January of 2021, which is less than the 5 years required by the contract documents.”

As an initial matter, there is no requirement that the prime contractor have a C-10 license for any particularly amount of time before bid. In fact, the only license requirement in the Specifications is that the Bidder have a Class A General Engineering license, which Wahlund has had since 1993. Though the Specifications have no requirement for the Bidder to have specialty licenses, Wahlund had the necessary specialty license since well before the Project was put out for bid.

NCC’s contention that Wahlund does not have the electrical expertise to perform the work is also misguided. In January of 2020, Wahlund purchased a company known as Redwood Electric. Wahlund also hired Redwood Electric’s personnel, including Kyle Brown who is now the RME on Wahlund’s C-10 license. Before Wahlund purchased it, Redwood Electric had been in business for over 16 years, and had performed electrical work on multiple water and wastewater treatment facilities, including at least 2 as a subcontractor to Wahlund. Kyle Brown did not need to obtain a C-10 license until January 2021 because before that time, his father, Mark Brown, had been Redwood’s license holder. Accordingly, the timing of Kyle Brown obtaining his C-10 license bears no relationship to his experience or ability, or those of Wahlund generally.

Because there is no failure to comply with the Bid Requirements relating to the electrical license, NCC’s protest on that ground must be rejected.

**C. NCC’s challenge is an attack on Wahlund’s responsibility, and thus Wahlund is entitled to a due process hearing before its bid may be rejected.**

For a public entity to reject a bid based on responsibility, it must afford the bidder a due-process hearing and other procedural protections. (*See City of Inglewood-LA. County Civic Center Auth. v. Superior Court* (1972) 7 Cal.3d 861, 871; *see also D.H. Williams Construction, Inc. v. Clovis Unified School Dist.* (2007) 146 Cal.App.4th 757, 764; *see also Boydston v. Napa Sanitation Dist.* (1990) 222 Cal.App.3d 1362, 1369.) “Under the *D.H. Williams* rule, a public agency cannot reject the bid of the lowest bidder on a public works project on the theory that the bid is ‘nonresponsive’ to the agency’s request for bids when, in substance, the real reason for the rejection is that the agency thinks the lowest bidder is ‘not responsible’—at least not without giving the lowest bidder the chance for a

Karen Diemer  
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hearing on whether the lowest bidder really is ‘not responsible.’” (*Great West Contractors, Inc.* 187 Cal.App.4th 1425, 1429.)

**1. Wahlund’s listed qualifications together with its history and track record demonstrate that it is a responsible bidder.**

Wahlund has held a Class A General Engineering contractor’s license as well as a Class B General Contractor’s license for nearly thirty years. It also holds various subspecialty licenses. Over the past 17 years, Wahlund has built 11 water and wastewater treatment facility projects. Wahlund’s focus is wastewater treatment, sewer, water, and related underground projects. Wahlund has extensive experience on the North Coast of California, with many of its projects in the communities in and around Arcata. Put simply, the notion that Wahlund is not a “responsible bidder” is preposterous, and it will not withstand scrutiny if Wahlund is given the due process hearing to which it is entitled.

In *D.H. Williams Construction, Inc. v. Clovis Unified School Dist.* (2007) 146 Cal.App.4th 757, the court identified five factors to determine if a bid protest is challenging responsiveness or responsibility: (1) the complexity of the problem and need for administrative judgment; (2) the need for information outside the bidding process; (3) whether the problem is the type that is susceptible to hard and fast lines, or whether it is better handled on a case-by-case basis; (4) the potential adverse impact on the bidder’s reputation; and (5) the potential that innocent bidders are subject to arbitrary or erroneous disqualification.

First, the question whether Wahlund is responsible is the classic example of one that requires administrative judgment. In fact, the Specifications explicitly leave the qualification determination to the Project Engineer’s sole discretion. Second, though the projects listed by Wahlund demonstrate its experience, a full review of Wahlund’s entire experience base would be required to make a responsibility determination. Third, the hard and fast lines as portrayed by NCC are arbitrary in this case. Whether a past project is 79% of the current project value or 81% of that value has no bearing on whether the bidder is responsible especially given the significant industry-wide cost increases described above. Fourth, the determination here that Wahlund is not capable of performing this Project will affect its reputation for performing other similar projects. Fifth and finally, rejection of Wahlund’s bid would be an arbitrary and erroneous act without giving Wahlund the opportunity to address the issue of its ability to perform the work required.

Here, each of these factors demonstrate that the issue before the City is whether Wahlund is responsible—not whether the bid is responsive. The only conceivable reason for the qualifications section is to collect information related to determining whether the Bidder is capable of performing the work—in other words, whether the Bidder is responsible. Thus, the City cannot reject Wahlunds’ bid unless and until it affords Wahlund a due-

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process hearing where Wahlund can present the City with evidence demonstrating that it is not only a responsible bidder, but also the best bidder.

**2. Further, because the Specifications give the engineer sole discretion to determine a Bidder’s qualifications, the qualification determination cannot be a responsiveness determination.**

Article 1.01 of Document 00451A, and Article 1.01 of Document 00451B both unequivocally state: “Engineer has sole discretion in the determination of qualified businesses.” California courts have recognized that “[i]n most cases, the determination of nonresponsiveness will not depend on outside investigation or information and a determination of nonresponsiveness will not affect the reputation of the bidder.” (Great West Contractors, Inc. at 1453 citing *Taylor Bus Service*, at 1341.)

Here, the Specifications’ express language calls for the Engineer to make a determination whether the business is qualified in the Engineer’s “sole discretion.” The reliance on the Engineer’s discretion necessarily means that the qualification determination is one of responsibility and not responsiveness. By exercising discretion, the Engineer necessarily exceeds the face of the bid by using her own judgment.

**D. Wahlund’s bid amount relating to demobilization is responsive.**

**1. Because section 01220, subdivision 1.03(T)(2)(a) refers to a “Contract Price,” it cannot be a requirement for the bid because the Contract Price is only determined when the contract is signed.**

NCC argues that Wahlund’s bid must be rejected on NCC’s assertion that Wahlund’s bid did not comply with Specification section 01220, subdivision 1.03 (T)(2)(a). (See Specifications, 01220-8.) Section 01220 is the “Measurement and Payment” section of the Specifications, and section 1.01 provides that the section includes “[p]rocedures for measurement and payment of Work under this Contract for lump sum.” This section does not appear in the Bidding Requirements of the Specifications. It also does not appear on the Bid Form (Section no. 00410).

Moreover, by its own terms Section 01220, subdivision 1.03(T)(2)(a) does not apply to the Bid, and instead only applies once the Contract is executed. Subdivision 1.03(T)(2) states, in full: “Payment: a. Shall not be less than 3 percent of **Contract Price**. b. Lump sum.” (Emphasis added.) The Specifications define “Contract Price” as: “The money that **Owner has agreed to pay** Contractor for completion of the Work in accordance with the Contract Documents.” (Specifications, 00700-2, 1.01(A)(14) (emphasis added).) Therefore, because subdivision 1.03(T)(2) references the “Contract Price,” it can only refer to payments made after the Owner and Contractor have entered into the contract. Thus, by its own terms it does not apply to bids.

Attachment: Bid Protest Documents- Attachment C (4000 : Construction Contract Award for Phase I - AWTF Improvements Project to

Notably, with regard to Mobilization (Item 1.C on the Bid Form), the Bid Form expressly states: “(Limited to 3 percent of Lump Sum Bid Total).” No such reference to requirements or limitations is made in the Bid Form for Demobilization. It does not reference “Contract Price,” and instead references the Lump Sum Bid Total, indicating that the limitation is based on the bid amount and not the contract price. This is entirely consistent with the express directions contained on the Bid Form.

**2. NCC’s own bid did not comply with the 3% calculation, and thus belies its argument relating to demobilization expenses.**

NCC’s failure to comply with the 3% demobilization provision from subdivision 1.03(T)(2) reveals that NCC did not believe it was a bid requirement. If we ignore the express reference to the “Contract Price” rather than the bid amount, NCC did not comply with subdivision 1.03(T)(2). The subdivision’s language requires that the Demobilization price “shall not be less than 3 percent of Contract Price.” Even if we give NCC the benefit of the doubt by replacing “Contract Price” with “bid amount,” in the subdivision, then NCC’s demobilization number cannot be less than 3% of \$62,888,000—\$1,886,640. According to the Summary of Bids posted by the City, NCC’s demobilization amount was only \$1,850,000.<sup>6</sup>

Either NCC’s contention is incorrect, or NCC lacks standing to challenge Wahlund’s bid because its own bid is not responsive on this issue.

<sup>6</sup> According to NCC’s Protest footnote 1, NCC calculated the 3% figure for Wahlund by “taking the Contract Price of \$51,495,000.57, minus the \$200,000 demobilization, times 3%.” However, there is no reference to any basis in the Specifications for this calculation method.

Karen Diemer  
 City Manager  
 August 25, 2022  
 Page 11

### CONCLUSION

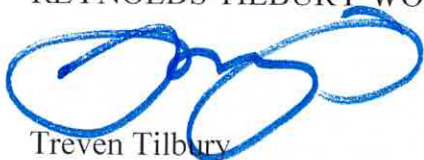
The City of Arcata must award the contract to the lowest responsive bid submitted by a responsible bidder. Wahlund submitted the lowest responsive bid, and it is a responsible bidder. Wahlund's bid—to perform all of the work outlined in the Specifications as outlined in the Specifications—is more than \$11 million less than NCC's.

If for some reason the City concludes that Wahlund's statement of qualifications is insufficient for any reason, Wahlund demands a hearing to fully vet and confirm that it is a responsible bidder.

For all of the reasons stated above, Wahlund's bid is responsive, and Wahlund is responsible. Accordingly, the City must reject NCC's protest and award the contract for the Project to Wahlund.

Best regards,

REYNOLDS TILBURY WOODWARD LLP



Treven Tilbury

TT/bt

cc (Email Only):

Ken Wahlund (ken@wahlcon.com)  
 Ryan Wahlund (ryan@wahlcon.com)  
 Russel Gans, Mitchell Law Firm (RGans@mitchelllawfirm.com)  
 Matthew Weber, Downey Brand, counsel for North Coast Constructors  
 (mweber@downeybrand.com)

August 26, 2022

**VIA EMAIL - [CITYMGR@CITYOFCARCATA.ORG](mailto:CITYMGR@CITYOFCARCATA.ORG) - AND U.S. MAIL**

Karen Diemer, City Manager  
CITY OF ARCATA  
736 F. Street  
Arcata, CA 95521

**Re: City of Arcata  
Arcata Wastewater Treatment Facilities Improvements Phase 1 Project  
Project Number 67-004**

Dear Ms. Diemer:

This letter is in response to Wahlund Construction, Inc.’s (“WCI”) August 25, 2022, letter to further demonstrate that NCC is the lowest, responsible bidder on the Project and the only responsive bidder on the Project.

In its letter, WCI accuses NCC of “creat[ing] smoke where there is no fire,” when in reality to attempt to claim that its bid was responsive, WCI has to engage in an exercise of smoke and mirrors. But despite all the machinations that WCI goes through in its letter, it cannot be disputed that WCI’s bid was non-responsive and must be rejected.

Furthermore, WCI goes out of its way to claim that NCC is not a local contractor. WCI fails to acknowledge that NCC is a joint venture, with one of the two joint venture members being McCullough Construction Inc., which is not only an entity based in the City of Arcata, but also a certified Disadvantage Business Enterprise, Small Business Enterprise, and a Minority Owned Business. Therefore, WCI’s claims that NCC is not a local business are misguided and ignore the fact that NCC is the only entity that bid this Project with a business actually based in the City of Arcata.

**NCC Has Standing to Protest As it Attended the Pre-Bid Conference.**

NCC is a joint venture between Myers & Sons Construction, LLC, and Aracta-based McCullough Construction Inc. A joint venture operates through its members—NCC is not different. Representatives of both McCullough Construction and Myers were present at the pre-bid conference, as shown on the sign in sheet.<sup>1</sup> As both Myers and McCullough were present,

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<sup>1</sup> Caltrans even recognizes this in its Standard Specifications, where it indicates only one member of the joint venture must attend a prebid outreach meeting. (See Caltrans Standard Specifications, Section 2-1.04.)

and they are the only members of NCC, and the entities through which NCC acts, it cannot be disputed that NCC was present as the pre-bid conference.

### **NCC Properly Listed References for Its Members, as Required by the Bid Specifications.**

In a further attempt to divert from the fact that its bid is not responsive, WCI claims NCC's bid is not responsive because it failed to list experience of the JV, as opposed to the two members who make up the JV. Again, WCI's claim is nothing more than an attempt to divert attention away from its clearly non-responsive bid.

The law is clear that a joint venture operates through its members. Moreover, the bid specifications acknowledge as such, since they provide in Article 10.01 (A) "If Business is a Joint Venture, separate Qualifications Statements for each Joint Venturer, as required in this Document." NCC complied with this requirement as it provided qualification statements for both Myers and McCullough. If, as WCI claims, it was the joint venture entities' qualifications that mattered, then there would be no basis for providing the qualifications of each member. Moreover, it would likely result in no joint venture being able to bid this Project, since it is custom and practice that joint ventures are formed for specific projects, which is the reason the Bid specifications indicate they want each members' qualifications, not just the Joint Venture entities' qualifications.

Again, WCI's attempt to create a distraction from its non-responsive bid is not supported by the bid specifications or California law. NCC's bid is responsive and it has standing to protest WCI's non-responsive bid.

### **NCC's Protest Only Raised Issues with the Responsiveness of WCI's Bid, Not WCI's Responsibility As a Contractor.**

Because WCI knows that its bid did not comply with the express terms of the call for bids, it attempts to sidestep that issue by claiming that the issues raised with its qualifications go to responsibility, not responsiveness. WCI is wrong. NCC is not asking the City to look any further than the face of the bid to see that WCI did not provide the information called for.

As WCI admits "[i]n most cases, the determination of nonresponsiveness will not depend on outside investigation . . ." (*Taylor Bus Service, Inc. v. San Diego Bd. of Education* (1987) 195 Cal.App.3d 1331, 1342.) Responsiveness "can be determined from the face of the bid." (*Id.*)

Here, Article 3.01 in the Instructions to bidders required certain information be submitted with the bid. That required information was outlined in Document 00451A. Specifically, Section 9.04, provides in no uncertain terms that the bidder must list a project "with a dollar value of at least 80 percent of the value bid for this project."

Setting aside WCI's claims about whether the project must be completed, or a water/wastewater project, either way the Bid called for the listing of a project that is at least eighty percent (80%) of the value bid for this project. WCI's bid on this Project is \$51,495,000. Eighty percent (80%) of WCI's bid is \$41,196,000. Nowhere on WCI's bid did it list a project—either completed or in

progress—that is \$41,196,000. Therefore, it is clear from the face of the bid that WCI’s bid did not comply with the bid specifications. The City need look no further than the face of the bid to see it is missing a \$41,196,000 project.

The case law is clear that failing to provide the information required by the call for bids makes the bid non-responsive and it must be rejected. For example, in *Taylor Bus*, the school district required at least a \$10 million comprehensive liability insurance (“CGL” in insurance law) policy. The lowest bidder proffered a \$10 million “insurance trust,” which, noted the *Taylor Bus* court, entailed “the acceptance of different risks.” (*Taylor Bus, supra*, 195 Cal.App.3d at p. 1344.) In *Domar Electric*, the bid request required documentation of compliance with an outreach program as defined in a “good faith documentation checklist.” (*Domar Electric, Inc. v. City of Los Angeles* (1995) 41 Cal.App.4th 810, 819.) The losing bidder simply “failed to provide the required good-faith-effort documentation” within the deadline. (*Ibid.*) In *M & B*, the bidding instructions plainly required that all bidders have a “class ‘A’” license. The losing bidder listed only class “B” and class “C” licenses. (*M & B Construction v. Yuba County Water Agency* (1999) 68 Cal.App.4th 1353, 1357.) As the above cases demonstrate, when the bid calls for specific information and it is not provided, the bid is non-responsive. There is no need to make a responsibility determination when the bid clearly is not responsive.

In an attempt to get around the fact that the bid clearly called for the listing of a project of at least \$41,196,000—and WCI did not—WCI claims it is entitled to adjust the price of work it did in the past, and claim if it did that work today, it would be above the required threshold. The bid documents, however, do not state that if you cannot meet the clear language of the specifications (i.e., you have not completed a project of at least eighty percent (80%) of the bid of this Project) then you get to falsely inflate the value of your past projects. Inflation adjusting Projects does not show that WCI has the financial wherewithal to complete this Project. What is worse is the fact that WCI even misstated the percentage of increase. WCI claimed the Department of General Services shows an increase of 36.29% since January of 2019, when in reality the increase was only 30% over that time period.<sup>2</sup> Thus, even if the specifications allowed WCI to adjust its project values (which they do not) WCI still falls short, as it still would not have a project of at least \$41,196,000.

Try as it might, WCI cannot avoid the undisputable fact that the bid specifications required the listing of a project of at least eighty percent (80%) of WCI’s bid on this Project, and it failed to do so. Therefore its bid is non-responsive and must be rejected.

### **WCI Admittedly Failed to Provide the Required Information Regarding Electrical Experience.**

The City, knowing the electrical portion of this Project is complicated, specifically required that bidders list the experience of the entity handling the electrical portion of the Project. Section 00451B specially requires the experience of the electrical contractor to be listed. Additionally, Section 00451B, Article 3.01, requires that the electrical contractor have a C-10, and that the

<sup>2</sup> According to the DGS benchmark relied upon by WCI, the costs in January of 2019 was 6684 and the cost in August of 2022 was 8729, which is a difference of 30%, not 36%.



“Bidder must demonstrate a minimum of 5 years of experience in projects similar in nature and scope to this project.”

WCI admits it did not obtain a C-10 until 2020, and thus it does not, and cannot, have five years’ experience performing electrical work. Moreover, WCI does not dispute that it only listed one electrical project, which was only \$149,439, and it cannot be disputed that for item 1.Q, which is Site Electrical, WCI bid \$10,600,000. Thus, it again failed to list the required number of electrical projects, or an electrical project that is at least eighty percent (80%) of item 1Q. Again no matter how WCI tries to spin it, it did not list any electrical projects that amount to 80 percent of \$10,600,000.<sup>3</sup> Therefore, its bid is non-responsive and must be rejected.

**WCI Again Tries to Cover Up The Fact It Did Not Comply With the Mandatory Demobilization Requirements by Mischaracterizing the Clear Language of the Bid Documents to Make Its Bid Responsive.**

Project Specification Section 01220, subdivision 1.03 (T)(2)(a), provides that the demobilization line item “shall not be less than 3 percent of Contract Price.” The word “shall” as used in this provision is mandatory and failure to comply renders a bid non-responsive.

WCI does not, and cannot, dispute that its bid for demobilization was not three percent (3%) of the Contract Price. Instead, WCI claims that Section 01220 is not part of the bidding requirements and “does not appear on the Bid Form.”

WCI is wrong. The term “Bidding Documents” is defined in the Instructions to Bidders Article 2.01 as “Bidding Requirements and proposed Contract Documents (together, the Bidding Documents).” Thus Section 01220 is part of the Bidding Documents, as are all of the other specifications for the Project. Moreover, the Bid Form actually has a line item for demobilization.

1. T.	Demobilization	\$ _____
1. U.	Tidal Wave and Earthquake Insurance	\$ _____
Total Lump Sum Bid Price		\$ _____

3.02 ALLOWANCES

Bid Item 1. T. is entitled “Demobilization” and requires a price be placed for that line item. Bid item 1. T., like all the other bid items listed on the bid, corresponds with the lump sum items listed in Section 01220. Section 01220 outlines the requirements of, and the limits to each corresponding bid item.<sup>4</sup> To accept WCI’s claim that the mandatory requirements of Section

<sup>3</sup> It’s also worth noting that Royal Electric the lowest responsible electrician NCC received a bid from who listed on 00451B the required number of qualifying projects, as well as projects in excess of eighty percent of the value of this Project, bid for item 1Q was \$20,500,000, which accounts for the bulk of the difference in NCC and WCI’s bid.

<sup>4</sup> For example Section 01220 Article 1.03, subdivision (C)(2)(c), limits mobilization to no more than 3 percent of Contract Price.

01220, subdivision 1.03 (T)(2)(a), do not apply to the bid, would require the City to carve out Section 01220 from the of Bid Documents. Such a tortured interpretation is not supportable by the facts or the law.

Moreover, WCI does not explain how it intends the \$200,000 it bid for item 1.T. to miraculously become three percent (3%) of the Contract Price. Is WCI claiming that after the contract is awarded its \$51,495,000, will drop to \$6,690,000?

WCI's bid item 1.T. is not anywhere near three percent (3%) of the Contract Price, and it does not comply with the mandatory requirements of the Bidding Documents, accordingly, WCI's bid must be deemed non-responsive because its bid fails to include the required demobilization percentage. (*Konica Business Machines U.S.A. Inc. v. Regents of University of California* (1988) 206 Cal.App.3d 449, 456 ["the letting of public contracts universally receives close judicial scrutiny and contracts awarded without strict compliance with bidding requirements will be set aside"].) It cannot be disputed that WCI's bid does not comply with the bid specifications.<sup>5</sup>

### Conclusion

NCC is the lowest responsive, responsible bidder and, thus, the City is required to award it the Project. WCI failed to properly fill out the bid and therefore, its bid is non-responsive and must be rejected by the City and the Project should be awarded to NCC.

Very truly yours,

DOWNEY BRAND LLP



Matthew J. Weber

MJW:bs

cc: Treven Tilbury – [tilbury@twlawllp.com](mailto:tilbury@twlawllp.com)  
Russel Gans - [rgans@mitchelllawfirm.com](mailto:rgans@mitchelllawfirm.com)

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<sup>5</sup> WCI's challenged to NCC's is, like its other arguments, misplaced. As NCC explained, to calculate the 3%, take the total Contract Price \$62,888,000, and subtract out the demobilization \$1,850,000 (\$61,038,000) times 3% equals \$1,831,140, and NCC's bid \$1,850,000, which is more than the required 3%.



September 1, 2022

Netra Khatri  
City Engineer  
City of Arcata  
736 F Street  
Arcata, CA 95521

Subject: Evaluation of Bids for the Arcata WTF Improvements Phase 1 Project

Dear Mr. Khatri:

Carollo has evaluated the bids received as per our scope agreement.

The City received two (2) bids for the subject project with the Engineer's estimate of \$39,720,000:

1. Wahlund Construction: \$51,495,001
2. North Coast Constructors (NCC): \$62,888,000

As Wahlund Construction, Inc. (Wahlund) is the apparent low bidder, our analysis focusses on their responsiveness to the bid. Below is an analysis of their bid submission.

A. Article 1 – Owner and Bidder

No information required for submittal.

B. Article 2 – Attachments

No information required for submittal

C. Article 3 – Basis of Bid

The attached spreadsheets outline a side-by-side analysis of the bids per bid item and against the Engineer's estimate. Included herein is a summary of the key points.

These bid items show the largest discrepancies between bidders and the Engineer's estimate:

Bid Item	Description	Wahlund Delta from EE	NCC Delta from EE
1D	Excavation Support (Shoring)	\$173,946	\$503,946
1E	Demolition	\$700,000	\$5,000,000
1F	Paving and Grading	\$813,000	\$666,000
1I	Headworks Modifications	\$1,940,000	\$1,410,000
1L	CCB Modification and CCB Drain PS	\$1,512,000	\$1,502,000
1N	Existing Generator Bldg. Modifications	\$1,047,000	\$18,000
1O	New Elect Building	\$2,739,000	(\$67,000)
1Q	Site Electrical	(\$351,000)	\$9,549,000
1R	I&C	\$298,000	(\$1,902,000)
1T	Demobilization	\$200,000	\$1,850,000

Netra Khatri  
 City of Arcata  
 September 1, 2022

Page 2

That majority of the items vary from the Engineer's estimate in similar fashion, indicated that the contractor's saw something in the documents differently than the Engineer, but similar to each other.

The major exceptions upon first glance are the electrical items, however, in further review it appears that Wahlund has electrical work spread among several bid items (i.e. 1O, 1P, 1Q, 1R) and NCC has the bulk of their electrical within item 1Q, Site Electrical. The sum of these items has the total of the electrical items much closer in line with each other and make sense given Wahlund will self-perform the electrical work.

One minor concern is the item 1T, Demobilization, which Wahlund shows lower than required by bid documents. The intent of this requirement is to prevent front loading of the contract and can be corrected during the contract execution and establishment of Schedule of Values/Payment schedule, so the discrepancy is deemed minor. As long as Wahlund maintains the overall bid price, the Owner has the right to proceed with the bid per Section 00200-19.01.A.

In summary, with the discrepancies from the Engineer's estimate being similar in nature among bidders, we see no issue with the bid numbers.

- D. Article 4 – Time of Completion  
No information required for submittal
- E. Article 5 – Bidder Acknowledgements  
No issues noted
- F. Article 6 – Bidder Representation and Certification  
No issues noted
- G. Document 00430 – Bid Bond  
No issues noted
- H. Document 00434 – Proposed Subcontractors  
No issues noted
- I. Document 00436 – Equipment Manufacturers  
No issues noted
- J. Document 00451A – Qualifications

The intent behind the Qualifications section of the bid is to represent that the contractor can perform work at wastewater treatment plant. The projects provided demonstrate that fact. However, there are some discrepancies from the bid requirements to consider:

Wahlund submitted several projects as demonstration of their qualification to perform the work outlined in this subject project. Of the projects listed within the last five (5) years, the "College of the Redwoods" project is listed at \$30,787,981.49. This is 77.5% of the Engineers estimate for the project. Other projects listed to be completed within the last 5 years are in smaller amounts but are water and wastewater projects. It is noted that Wahlund didn't meet the strict requirements of Document 00451A, while still demonstrating some experience with this type of work.

Netra Khatri  
 City of Arcata  
 September 1, 2022

Page 3

K. Document 00451B – Qualifications, Electrical

No issues noted as Wahlund is self-performing electrical work, and this section then refers to their overall qualifications.

L. Document 00452 – Affirmative Action Program

No issues noted

M. Document 00456 – Non-Collusion Affidavit

No issues noted

N. Document 00458 – Drug-Free Workplace Certificate

No issues noted

O. Document 00820 Attachment B – American Iron and Steel Certification

No issues noted

P. Document 00820 Attachment D – DBE Guidelines

No issues noted

Q. Document 00820 Attachment E – SRF Conditions

No issues noted

R. Specification 01061 – Environmental Mitigation and Monitoring Requirements

No issues noted

The apparent low bid is 30% higher than the Engineer's estimate, therefore funding for the project may be a concern of the City. Regarding the responsiveness of the bids, despite minor irregularities noted above, under the Owner's right to waive minor bid informalities (00200-19.01.A), we find Wahlund Construction, Inc. to be the lowest responsible bidder and recommend awarding of the contract.

Please note, we understand the bid has been protested and we defer to the City's legal team to analyze the legality of the protest as we have found Wahlund to be the lowest responsible bidder.


Sincerely,

CAROLLO ENGINEERS, INC.

Samuel J. Hawkins, CCM  
 Area Manager – CM Services

Enclosures: Bid Item Comparisons Spreadsheet

cc: Doug Wing, Carollo  
 Danielle Allred, City of Arcata



In Association with GHD

**PROJECT :** City of Arcata  
 Arcata WWTF Improvements Phase 1 Project  
 Cost Estimate Update

**JOB # :** 09913C.10  
**ELEMENT :** SUMMARY OF CONSTRUCTION COSTS  
 AND PROJECT COSTS

**Updated:** 9/1/2022  
**ESTIMATED MIDPOINT :** 9/15/2023  
**T ESTIMATE PREPARATION DATE :** 12/15/2020  
**BY :** DWW/RH  
**Reviewed BY :** Carollo

100%

	DESCRIPTION	Engineer's Estimate	Bids		Delta		%Delta compared to Engineers Estimate	
			Wahlund Construction	North Coast Constructors (JVP: Myers & Sons Construction and McCullough Construction, Inc.)	Wahlund Construction	North Coast Constructors	Wahlund Construction	North Coast Constructors
1A	Prenegotiated UV Equipment (Bid)	\$1,263,400	\$832,514	\$832,514	(\$430,886)	(\$430,886)	-34%	-34%
	Sales Tax on 1A	\$116,865						
1B	Installation of Prenegotiated UV Equipment & Modification of the CCB	\$1,782,000	\$1,190,000	\$2,000,000	(\$592,000)	\$218,000	-33%	12%
1C	Mobilization/Demobilization (3% max)	\$1,200,000	\$1,310,487	\$1,600,000	\$110,487	\$400,000	9%	33%
1D	Excavation Support (Shoring)	\$146,054	\$320,000	\$650,000	\$173,946	\$503,946	119%	345%
1E	Demolition	\$0	\$700,000	\$5,000,000	\$700,000	\$5,000,000	NA	NA
1F	Paving and Grading	\$209,000	\$1,022,000	\$875,000	\$813,000	\$666,000	389%	319%
1G	Yard Piping	\$2,090,000	\$4,300,000	\$4,800,000	\$2,210,000	\$2,710,000	106%	130%
1H	Yard Structures	\$0	\$200,000	\$20,000	\$200,000	\$20,000	NA	NA
1I	Headworks Modifications	\$7,090,000	\$9,030,000	\$8,500,000	\$1,940,000	\$1,410,000	27%	20%
1J	Primary Clarifier Modifications	\$2,290,000	\$3,093,000	\$2,620,000	\$803,000	\$330,000	35%	14%
1K	Oxidation Ponds (EPPS, PPS, etc.)	\$3,323,000	\$3,880,000	\$4,000,000	\$557,000	\$677,000	17%	20%
1L	CCB Modification and CCB Drain PS Modifications	\$998,000	\$2,510,000	\$2,500,000	\$1,512,000	\$1,502,000	152%	151%
1M	EW Modification (EW PS, etc.)	\$2,580,000	\$1,678,000	\$1,800,000	(\$902,000)	(\$780,000)	-35%	-30%
1N	Existing Generator Bldg. Modifications	\$157,000	\$1,204,000	\$175,000	\$1,047,000	\$18,000	667%	11%
1O	New Elect Building	\$3,317,000	\$6,056,000	\$3,250,000	\$2,739,000	(\$67,000)	83%	-2%
1P	Electrical Demolition	\$0	\$140,000	\$200,000	\$140,000	\$200,000	NA	NA
1Q	Site Electrical	\$10,951,000	\$10,600,000	\$20,500,000	(\$351,000)	\$9,549,000	-3%	87%
1R	I&C	\$2,202,000	\$2,500,000	\$300,000	\$298,000	(\$1,902,000)	14%	-86%
1S	Commissioning & Startup	\$0	\$135,000	\$115,010	\$135,000	\$115,010	NA	NA
1T	Demobilization (2% Max)	\$0	\$200,000	\$1,850,000	\$200,000	\$1,850,000	NA	NA
1U	Title Wave and Earthquake Insurance	Not Included	\$503,000	\$1,000,000	\$503,000	\$1,000,000	NA	NA
1V	Environmental Mitigation and Monitoring Requirements	Not Included	\$91,000	\$300,476	\$91,000	\$300,476	NA	NA
<b>Subtotal Estimated Construction Cost =</b>		<b>\$39,720,000</b>	<b>\$51,495,001</b>	<b>\$62,888,000</b>	<b>\$11,775,001</b>	<b>\$23,168,000</b>	<b>30%</b>	<b>58%</b>

Attachment: Bid Evaluation Letters- Attachment B (4000) : Construction Contract Award for Phase I -