ATTACHMENT 2

WRITTEN DETERMINATION FOR SPECIALTY ITEMS
PURSUANT TO NAPA MUNICIPAL CODE SECTION 2.91.050

TULOCAY CREEK BICYCLE/PEDESTRIAN BRIDGE DESIGN-BUILD

The Tulocay Creek Bicycle/Pedestrian Bridge project consists of constructing a pre-fabricated bridge over Tulocay Creek between Hartle Court and Third Street as part of the City's bicycle network. The City has found it appropriate to use design-build procurement of a contract, and this design-build project is considered a "specialty item" based on the determinations below.

Per Napa Municipal Code (NMC) Section 2.91.050, the city may enter into a contract for a "specialty item," provided that the City Manager makes a written determination of the following:

1. The project need which the city intends to satisfy through the contract for the specialty item. This includes a functional description (or performance criteria) of the city's needs.

   The need of this project is to deliver the Tulocay Creek Bicycle/Pedestrian project within budgetary and timeline constraints. For construction of a pre-manufactured bridge at the project site, much of the complex engineering design is related to the design of the bridge itself. This work is being performed by the actual bridge manufacturer. The remaining design work is straight-forward due to completed front-end investigation and site conditions. A project of this nature can have significant cost and time savings by combining the design and construction phases of the project through the use of a design-build contract. The bridge will close a gap in the city's trail system, and the need is detailed in the staff report.

2. The types of property or service which are available (or used by other similarly situated private or public agencies) to meet this need (or similar needs), and the contractors which are available to provide the property or service. This includes documentation of the steps the city has taken to evaluate the types of property, service, and contractors potentially available to serve the city's needs.

   The City could have solicited the project in design-bid-build fashion. However, splitting the design and construction would result in higher overall design costs as well as extend the overall project delivery schedule. For a project of this nature, the risk is reasonably low and the end product is well-defined. Therefore, design-build was pursued as a way to simplify the project, leading to cost and time savings.

   Several bridge manufacturers exist in the United States which offer similar pre-manufactured bicycle/pedestrian bridges, and multiple nearby contractors are qualified to construct such a bridge project. The City solicited qualifications and proposals from dozens of design-build teams and received three responses. G.D. Nielson was the best fit for this particular project by scoring the highest in the selection criteria. They will deliver engineering drawings and construct the bridge and associated improvements.

3. The reasons why a similar property or service cannot meet the city's needs (including considerations of compatibility with other city property and services regarding maintenance, repair, training, quality, price, or similar considerations), or why the city's needs can only be met by one type of property or service (the specialty item).

   The design-bid-build method would have increased costs and extended the project timeline several more months, pushing construction into next year. Design-build allows the project to be delivered this year within the budget.

   Of the three responses received by the City, the G.D. Nielson team scored highest through selection criteria and provides the project within the budget. The other proposals received by the City were lower-scoring and higher-priced.

WRITTEN DETERMINATION FOR SPECIALTY ITEMS
PURSUANT TO NAPA MUNICIPAL CODE SECTION 2.91.050

TULOCAY CREEK BICYCLE/PEDESTRIAN BRIDGE DESIGN-BUILD

4. By entering into a contract for the specialty item from the proposed contractor, the city will meet the purpose and goals identified in Section 2.91.010 of the Napa Municipal Code.

   Yes, the project provides the most cost effective result for the City and meets the purpose and goals of NMC Section 2.91.010.

5. The contract complies with the requirements of Section 2.91.030(B) of the Napa Municipal Code.

   Yes, the contract complies with Section 2.91.030(B) of the NMC.

The City Council hereby determines that compliance with these requirements satisfies the requirement to award city contracts to the lowest and best bidder, pursuant to City Charter Section 101.