

**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
AGENDA**

**October 19, 2022**  
Closed Session 5:00 p.m.  
Regular Session 6:00 p.m.

**CITY COUNCIL**

Eric A. Bruen, Mayor

L. Scott Hayman, Mayor Pro Tem

Solomon P. Rajaratnam, Vice Mayor

Kyle Blades, Council Member

Peggy Breeden, Council Member

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Ron Strand, City Manager

Keith Lemieux, City Attorney  
Martin Koczanowicz, City Attorney



**City Hall, Council Chambers  
100 West California Avenue  
Ridgecrest CA 93555**

Ricca Charlon, City Clerk  
(760) 499-5002

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact Ricca Charlon at (760) 499-5002. Requests must be made as early as possible and at least one full business day before the start of the meeting.

Documents and material relating to open session agenda items that are provided to the full City Council prior to a regular meeting will be available for public inspection and copying at City Hall.

City Council agendas and corresponding writings of open session items are available for public inspection at the following locations:

1. City of Ridgecrest City Hall, 100 W. California Ave., Ridgecrest, CA 93555
2. City of Ridgecrest official website at <https://ridgecrest-ca.gov/212/City-Council>

*Agendas are available on the City Website  
<https://www.ridgecrest-ca.gov/council-agendas>*

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NOTICE AND CALL OF A **SPECIAL CLOSED SESSION MEETING** OF THE  
RIDGECREST CITY COUNCIL / SUCCESSOR REDEVELOPMENT AGENCY /  
HOUSING AUTHORITY / FINANCING AUTHORITY

TO THE MEMBERS OF THE RIDGECREST CITY COUNCIL / SUCCESSOR  
REDEVELOPMENT AGENCY / HOUSING AUTHORITY / FINANCING AUTHORITY,  
PUBLIC AND CITY CLERK:

PUBLIC NOTICE that a **SPECIAL CLOSED SESSION MEETING** of the Ridgecrest City  
Council/Successor Redevelopment Agency/Housing Authority/Financing Authority is hereby  
called on:

Wednesday, October 19, 2022 @ 5:00 p.m.  
City Council Chambers  
100 W. California Avenue  
Ridgecrest, California

Said **SPECIAL CLOSED SESSION MEETING** shall be for the purpose of:

California Government Code Section 54957 Subpart (b):  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION - City Manager

Dated: October 13, 2022

Eric A. Bruen, Mayor / Chair

ATTEST:

Ricca Charlon, City Clerk

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**RIDGECREST CITY COUNCIL  
SUCCESSOR REDEVELOPMENT AGENCY  
FINANCING AUTHORITY  
HOUSING AUTHORITY**

**AGENDA**

**Wednesday, October 19, 2022**

**Closed Session – 5:00 p.m.  
Regular Session – 6:00 p.m.**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**PUBLIC COMMENT ON CLOSED SESSION**

**CLOSED SESSION**

California Government Code Section 54957 Subpart (b)  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION - City Manager

**REGULAR SESSION**

- Pledge Of Allegiance
- Invocation

**ATTORNEY REPORT OUT OF CLOSED SESSION**

**PUBLIC COMMENT OF ITEMS NOT ON THE AGENDA** - Persons wishing to address the Council on matters that are within the Council's jurisdiction and DO NOT ALREADY APPEAR ON THE AGENDA, may do so at this time.

**COUNCIL ANNOUNCEMENTS/DIRECTION**

**CONSENT CALENDAR** – All Matters Listed Under The Consent Calendar Are To Be Considered Routine And Enacted By One Motion Unless Pulled By A Council Member Or A Member Of The Public.

1. Proposed Action To Approve Draft Minutes Of The Ridgecrest City Council Regular Meeting Dated October 5, 2022 **CHARLON**
  
2. Announcing Proclamations Prepared For The Month Of October And Scheduled Date Of Presentation **CHARLON**

**DISCUSSION / ACTION ITEMS**

3. Discussion Regarding The Board Of The Indian Wells Valley Groundwater Authority (IWVGA) **HAYMAN**
  
4. A Resolution Of The Ridgecrest City Council To Appropriate An Additional Portion Of The American Rescue Plan Act Funds For Inspection Services On The Race Communications Broadband Installation Project **REED**

5. Award A Construction Contract To Everlevel Holdings LLC. To Construct The West Ward Ave. Phase 1 Street Rehabilitation Project, Federal Project No. STPL-5385(067) In The Amount Of One Million Eight Hundred & Sixty-Four Thousand Seven Hundred Sixteen Dollars (\$1,864,716.00); And Authorize The City Manager, Ronald Strand, To Execute The Contract

**REED**

**COMMITTEE REPORTS** *\*\*Committee Meeting dates are subject to change and will be announced on the City website*

City Organization and Services Committee ('City Org')

Members: Mayor Eric A. Bruen and Peggy Breedon

Meeting: **1<sup>st</sup> Thursday** each month at 5:30 p.m.

Location: City Hall Council Chambers

- **Report from 10/6/22 – MEETING CANCELED**

Economic Development Committee

Members: Kyle Blades and Solomon Rajaratnam

Meeting: **2<sup>nd</sup> Wednesday** of the Month @ 5:00 p.m.

Location: City Hall Council Chambers

- **Report from 10/12/22 – MEETING CANCELED**

Finance Committee

Members: Mayor Eric A. Bruen and Scott Hayman

Meeting: **2<sup>nd</sup> Tuesday** each month at 5:30 p.m.

Location: City Hall Council Chambers

- **Report from 10/11/22**

Ridgecrest Area Convention and Visitors Bureau (RACVB)

Members: Solomon Rajaratnam and Megan McKenzie (staff)

Meeting: **3<sup>rd</sup> Wednesday** of the Month, 9:00 a.m.

Location: Kerr McGee Center Meeting Rooms

- **Report from 10/19/22**

**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

**CITY MANAGER REPORT**

**FUTURE AGENDA ITEMS**

**MAYOR AND COUNCIL COMMENTS**

**ADJOURNMENT**

## City of Ridgecrest Public Meeting Protocol In Response to Coronavirus (COVID-19)

City of Ridgecrest Council meetings are OPEN to public attendance. Although Chambers are OPEN, public participation is still *encouraged* via live streaming, call-in or via written correspondence.

TO PARTICIPATE please call, email, or send mail to the contact info provided below:

The public may use one of the following alternatives for participating in person:

- **Watch meetings on-line:**

All of our meetings are streamed live at <https://ridgecrest-ca.gov/369/Watch> or on YouTube at <https://www.youtube.com/cityofridgecrest/live> and are also available for playback after the meeting.

- **Call in for public comments:**

To participate with verbal comments, ***please call (760) 499-5010***. This phone line will allow only one caller at a time, so if the line is busy, please continue to dial. We will be allowing a 20-30 second delay between callers to give time for media delays and callers to dial in. If you wish to comment on multiple items you will need to call in as each item is presented.

- **Submit written comments:**

We encourage submittal of written comments supporting, opposing, or otherwise commenting on an agenda item, for distribution to the City Council prior to the meeting. Send emails to [rcharlon@ridgecrest-ca.gov](mailto:rcharlon@ridgecrest-ca.gov); written correspondence may be sent to Ricca Charlon, City Clerk, 100 W. California Ave., Ridgecrest, CA 93555. Please specify to which agenda item your comment relates. All communication, whether it is a formal letter or an online informal email, is read by the City Council.

Please click on the link below to access the City Council Agenda, Minutes and Video web page. <https://ridgecrest-ca.gov/212/City-Council>

If you have any questions please contact us.

Ricca Charlon, City Clerk  
Phone: (760) 499-5002

***\*Revised February 24, 2021***

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Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT

**SUBJECT:**

Proposed Action To Approve Draft Minutes Of The Ridgecrest City Council *Regular Meeting* Dated October 5, 2022

**PRESENTED BY:** Ricca Charlon, City Clerk

**SUMMARY:**

Draft Minutes of the City Council / Successor Redevelopment Agency / Housing Authority / Financing Authority *Regular Meeting* Dated October 5, 2022

**FISCAL IMPACT:** None

**ACTION REQUESTED:** Approve minutes

**CITY MANAGER'S RECOMMENDATION:** Action as requested

Submitted by: Ricca Charlon

Action Date: Oct. 19, 2022

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**RIDGECREST CITY COUNCIL  
SUCCESSOR REDEVELOPMENT AGENCY  
FINANCING AUTHORITY  
HOUSING AUTHORITY**

**AGENDA**

**Wednesday, October 5, 2022**

**Closed Session – 5:30 p.m.  
Regular Session – 6:00 p.m.**

**CALL TO ORDER – 5:30 p.m.**

**ROLL CALL**

Council Present: Mayor Eric A. Bruen; Mayor Pro Tem L. Scott Hayman; Vice Mayor Solomon P. Rajaratnam; Council Member Kyle Blade; Council Member Peggy Breeden

Absent: None

Staff Present: City Attorney Koczanowicz (WebEx); City Manager Strand; City Clerk Charlton; P& R Director Wegener; PW Director Reed

**APPROVAL OF AGENDA**

- **Blades - Hayman 5 Ayes**

**NOTE:** The vote is displayed in bold below each item. For example, **Blades-Rajaratnam** denotes Council Member Blades made the motion and Vice Mayor Rajaratnam seconded the motion. Ayes, Noes, Absents, Abstentions follow.

**PUBLIC COMMENT ON CLOSED SESSION - None**

**CLOSED SESSION**

Conference with Legal Counsel – Existing Litigation (§ 54956.9)

Name of Case: Ryan Giberson v. Pacific Gas and Electric Company, et al.

Kern County Superior Court Case No. BCV-20-101782

**REGULAR SESSION – 6:00 p.m.**

**ATTORNEY REPORT OUT OF CLOSED SESSION – No reportable action**

**PRESENTATIONS**

1. Measure L And Measure V Annual Report

Public comment – S. Miller; K. Russell

**COMMITTEE MEMBERS**

**PUBLIC COMMENT OF ITEMS NOT ON THE AGENDA**

Public comment – S. Gorman

**COUNCIL ANNOUNCEMENTS/DIRECTION**

**CONSENT CALENDAR**

2. Proposed Action To Approve Draft Minutes Of The Ridgecrest City Council Regular Meeting Dated September 21, 2022

**CHARLON**

- **Blades – Rajaratnam 5 Ayes**

**DISCUSSION / ACTION ITEMS**

- 3. Discussion Regarding The Board Of The Indian Wells Valley Groundwater Authority (IWVGA) **HAYMAN**

Public comment – K. Russell; K. Brown

- 4. A Resolution To Amend A Professional Services Agreement With Willdan Engineering Inc. In The Amount Of \$6,850.00 For The West Ward Phase I Improvement Project To Include Addition Federal Funding Aid And A Phase Line Shift **REED**
  - **Breeden - Hayman 5 Ayes**

**ORDINANCES**

- 5. Second Reading and Adoption, Ordinance 22-05, An Ordinance Of The City Council Of The City Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Conflicts Of Interest **CHARLON**

**Motion To Waive Reading In Full**, Ordinance 22-05, An Ordinance Of The City Council Of The City Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Conflicts Of Interest

- **Breeden - Hayman 5 Ayes**

**Motion To Adopt, By Title Only**, Ordinance 22-05, An Ordinance Of The City Council Of The City Ridgecrest Amending The Ridgecrest Municipal Code As It Relates To Conflicts Of Interest

- **Hayman – Breeden 5 Ayes**

**COMMITTEE REPORTS***\*\*Committee Meeting dates are subject to change and will be announced on the City website*

Infrastructure Committee

Members: Solomon Rajaratnam and Kyle Blades  
Meeting: 4<sup>th</sup> Thursday each month at 5:00 p.m.  
Location: City Hall Council Chambers  
➤ **Report from 11/22/22 - CANCELED**

**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

**CITY MANAGER REPORT**

**FUTURE AGENDA ITEMS**

**MAYOR AND COUNCIL COMMENTS**

**ADJOURNMENT** - 7:40 p.m.



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Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT

**SUBJECT:** Announcing Proclamations Prepared For The Month Of October  
And Scheduled Date Of Presentation

**PRESENTED BY:** Ricca Charlon, City Clerk

**SUMMARY:**

The Ridgecrest City Council receives requests for presentation of ceremonial proclamations for various events and observations. Proclamations below have been prepared and will be presented on the date and time shown.

1. Altrusa International of Indian Wells Valley

Altrusa Proclamation will be presented at the Altrusa 60<sup>th</sup> Anniversary Celebration at Casey's Restaurant on Tuesday October 25, 2022 by Councilman Blades.

**FISCAL IMPACT:** None

**ACTION REQUESTED:** Approve and file

**CITY MANAGER'S RECOMMENDATION:** Action as requested

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# A Proclamation of The City of Ridgecrest, California

## ALTRUSA INTERNATIONAL OF INDIAN WELLS VALLEY 60<sup>TH</sup> ANNIVERSARY

**WHEREAS**, Altrusa International, Inc. of Indian Wells Valley is celebrating 60 years of commitment and service to the Ridgecrest community; and,

**WHEREAS**, the mission of Altrusa International, Inc. is to make our local communities better through leadership, partnership and service; and,

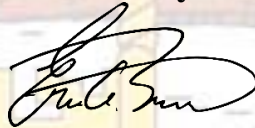
**WHEREAS**, the motto of Altrusa International, Inc. is Patriotism, Efficiency & Service; and,

**WHEREAS**, Altrusa International, Inc. of Indian Wells Valley remains committed to providing warm clothing to children in need through KidsSpree, promoting literacy through distribution of books and maintaining Little Libraries in Ridgecrest, providing scholarships to well-deserved students, and supporting emergent needs of the community as they are presented to Altrusa, IWV; and,

**WHEREAS**, Altrusa International, Inc. of Indian Wells Valley celebrated 60 years of community service on October 25, 2022.

**Now, Therefore, The Ridgecrest City Council Hereby Proclaims**  
October 2022 As Altrusa International Of Indian Wells Valley Month In Recognition  
Of The Organization's Service And Dedication Throughout The Community.

**Proclaimed this 25<sup>th</sup> Day of October 2022**



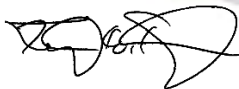
**Eric A. Bruen**  
Mayor



**L. Scott Hayman**  
Mayor Pro Tem



**Solomon P. Rajaratnam**  
Vice Mayor



**Kyle Blades**  
Council Member



**Peggy Breeden**  
Council Member

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**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT**

**SUBJECT:**

Discussion Regarding The Board Of The Indian Wells Valley Groundwater Authority (IWVGA)

**PRESENTED BY:**

L. Scott Hayman, City Council / IWVGA Representative

**SUMMARY:**

Report and discussion regarding Board meetings of the IWVGA. Including, Board discussion and consideration of issues of importance requiring action by the IWVGA.

**FISCAL IMPACT:** None

**ACTION REQUESTED:** Discuss

**CITY MANAGER'S RECOMMENDATION:** Action as requested

Submitted by: Ricca Charlon

Action Date: Oct 19, 2022

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**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT**

**SUBJECT:** A Resolution Of The Ridgecrest City Council To Appropriate An Additional Portion Of The American Rescue Plan Act Funds For Inspection Services On The Race Communications Broadband Installation Project

**PRESENTED BY:** Travis Reed, Public Works Director

**SUMMARY:**

On March 11, 2021, President Biden signed into law the American Rescue Plan Act (ARPA), which provides one-time fiscal relief funds to State and Local Governments and other program areas aimed at mitigating the continuing effects of the COVID-19 Pandemic. ARPA includes State and Local Fiscal Recovery Funds to support urgent COVID response efforts to decrease the spread of the virus and to replace lost public sector revenue to strengthen support for vital public services. The City of Ridgecrest's allocation of direct local stimulus is \$6,930,958, with the first 50% paid to the City in July of 2021 and the remaining balance in July of 2022.

The United States Treasury has adopted the final rule, along with a list of Frequently Asked Questions, as guidance regarding the use of ARPA funds. The allowed uses of ARPA funding focus on four key program areas: to respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality; to respond to workers performing essential work during COVID-19; for the provision of government service to the extent of the reduction in revenue due to COVID-19; and to make necessary investments in water, sewer or broadband infrastructure. The use of ARPA funds is retroactive to March 3, 2021. All funds must be obligated by December 31, 2024, and must be spent by December 31, 2026.

Recommendations for Appropriation in addition to the previous Awarded amount on Nov. 3<sup>rd</sup> 2021:

**Previous Commitment:**

1. Race Communications Contribution – As indicated by the adopted final rule, broadband infrastructure is a suitable use for ARPA funds. In conjunction with this, the City has prepared an agreement with Race communications to ensure a complete build out of City Limits, specifically the area lying Southerly of China Lake Blvd., Northerly of Jarvis Ave., Westerly of College Heights Blvd., and Easterly of Norma St. In conjunction with this the City Obligation will be as follows:

The City will use ARPA funds to pay for inspection costs for the Project to facilitate the complete build-out of the fiber network throughout the City as more specifically depicted in the Build-Out Map, Exhibit A, attached hereto. These inspection costs are estimated to be \$150,000. These funds will be earmarked by the City and any unused funds will be repurposed toward another ARPA project. The City's contribution to the Project is de minimis and does not exceed 2% of the estimated total project cost of \$17 million (California Labor Code Section 1720(c)(3)(A)(B)(i)). City Shall also, as a

**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT**

part of their design standards, update projects currently in process to add standards for communication conduit installation for existing and all future planned subdivisions, thus allowing the installation of future backbone without the need for street cutting.

**Proposed Amended Contribution:**

As time has gone on supply shortages, in field installation problems and aging infrastructure which lack good records have delayed the project. Together with these factors and the lack of Frontier Communication work due to the subcontractor holding the contract for installation closing its doors, the cities plans to split inspection and allow inspectors to double up on both the Race project and the Frontier project as needed have been severely derailed. Our initial estimate, which was based on a best-case scenario for the installation was \$150,000 for inspection. With us now pushing into 20-22 months total to complete the project our estimate is closer to \$430,000.00 for the project.

As we feel this project is a vital need for the City and its residence staff is requesting additional appropriation of the ARPA funding in the amount of \$229,999.00. Staff feels this will allow both HP Communications, (A subcontractor to Race), and Race themselves to complete their build out while the City ensures that repairs and installations are all put in to standard. The inspection will be continuous and will keep future repair costs, which are outside the limits of the state required one-year warranty to a minimum.

Staff feels Race and its subs have made a great effort to complete the project in a timely manner, and many elements that were out-side of their control have contributed to the delays. Race currently has 2 in-house full-time crews working on installation and HP has 8 crews working diligently to meet installation goals as well as goals the city has requested so our slurry program can go off without a hitch.

As you will notice the estimated total cost for inspection, \$430,000.00, and the requested additional appropriation of \$229,999.00 plus the original \$150,000.00 are not equal, this is by design. In order for the City to contribute to the project, our portion must remain de minimis. The threshold of the project total as per California Labor Code Section 1720(c)(3)(A)(B)(i) that we must remain under is 2% of the total project cost. Staff has been in contact with Race's financial department and the new auditable project estimate of 19 million is the basis for our calculation. Up 2 million from the original projection of 17 million. Thus, the max we can we can contribute to remain under the 2% threshold is \$379,999.00. This would put us at 1.999%. Any additional inspection time will be furnished by Race.

Upon approval of these appropriations, staff will request an additional \$50,001.00 from Race. These funds will be placed in a reimbursement account and will be utilized once we reach the \$379,999.00 mark. Any remaining funds will be returned to Race.

With the approval of this appropriations we will remain consistent with the agreement we entered into on November 10, 2021, honoring our side of City Obligation (A.); utilizing ARPA funds to pay for inspection costs to facilitate a complete build out...

**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT**

As we are all aware, the Pandemic's stay at home orders showed a glaring need for internet infrastructure. These orders prompted the majority of our community work force to work from home utilizing their residential internet connection. This is also true for our children, as many schools implemented a distance/internet learning environment. The internet backbone in this community as well as many other utilities experienced a massive increase in demand and solidified a need for additional infrastructure.

The agreement, which was approved on Nov. 10<sup>th</sup> 2022, guaranteed all residences within City Limits have the ability to access enhanced Fiber Optic internet services. This is an eligible expense per ARPA Final Rule.

In conjunction with this project, City Staff previously requested an additional appropriation of \$100,000 to facilitate infrastructure installation on City Owned Properties. This money will still be utilized to extend the Fiber Optic network for the provided Race Communication Drop point to an existing City Facility at traffic intersections and/or Parks. These services shall be for enhanced traffic signal control, enhanced park security (cameras) etc.

In Conclusion City Staff asks for an additional appropriation of \$229,999.00 dollars to be utilized for Broadband Infrastructure inspection services. This additional appropriation will bring the total APRA funding allocated for this project to \$479,999.00 of which \$100,000 will still be available for use at parks and intersections to facilitate the connection from Race there to a city facility.

**FISCAL IMPACT:** Not to exceed \$379,999.00 of the \$6,930,958 allocated American Rescue Plan Act Funds; of which \$150,000, was previously allocated for inspection services, and the additional \$229,999.00, plus addition Race Contributions should be sufficient to complete the buildout. Additionally, \$100,000 will still be utilized to extend the installed facilities on City owned properties, bring the grad total appropriation for the project to \$479,999.00

**ACTION REQUESTED:**

1. Approval of the resolution
2. Allocate an additional \$229,999.00 from ARPA Funds to the previously authorized \$250,000.00, of which \$150,000 were for inspection services.
3. Authorize the Finance Director to amend the budget/ARPA contribution to reflect all appropriate capital, revenue and transfer accounts, and amend a purchase order in the amount of \$229,999.00 plus Race's Contribution of \$50,001, for a total of \$430,000.00 toward inspection services. (Any additional inspection services shall be paid for by Race Communications.

**CITY MANAGER'S RECOMMENDATION:**

Action as requested

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RESOLUTION NO. 22-xx

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL TO APPROPRIATE AN ADDITIONAL PORTION OF THE AMERICAN RESCUE PLAN ACT FUNDS FOR INSPECTION SERVICES ON THE RACE COMMUNICATIONS BROADBAND INSTALLATION PROJECT**

**WHEREAS**, on March 11, 2021, President Biden signed into law the American Rescue Plan Act (ARPA), which provides one-time fiscal relief funds to State and Local Governments and other programs areas aimed at mitigating the continuing effects of the COVID-19 Pandemic; and,

**WHEREAS**, ARPA includes State and Local Fiscal Recovery Funds to support urgent COVID response efforts to decrease the spread of the virus and to replace lost public sector revenue to strengthen support for vital public services; and,

**WHEREAS**, the City of Ridgecrest's allocation of direct local stimulus is \$6,930,958, with the first 50% paid to the City in July of 2021 and the remaining balance in July of 2022; and,

**WHEREAS**, the United States Treasury has adopted the final rule, along with a list of Frequently Asked Questions, as guidance regarding the use of ARPA funds; and,

**WHEREAS**, the allowed uses of ARPA funding focus of four key program areas: to respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality; to respond to workers performing essential work during COVID-19; for the provision of government service to the extent of the reduction in revenue due to COVID-19; and to make necessary investments in water, sewer or broadband infrastructure; and,

**WHEREAS**, The City of Ridgecrest and Race Telecommunications have negotiated an agreement to facilitate a complete build out of the City of Ridgecrest; and,

**WHEREAS**, RACE Telecommunications will be providing fiber internet access to all residences within the City of Ridgecrest limits; and,

**WHEREAS**, \$229,999.00 additional ARPA funding shall be applied to cover the Project Inspection Costs associated with the complete build out of the fiber network; and,

**WHEREAS**, the total requested \$479,999 is a viable project according to the American Rescue Plan Act Final Rule Section 602 & 603 (c)(1) subsection d.

**NOW, THEREFORE, BE IT RESOLVED** that the Ridgecrest City Council does hereby approve the additional appropriation of a portion of the American Rescue Plan Act funds to be utilized to facilitate the installation of Broadband infrastructure.

**APPROVED AND ADOPTED** this 19th day of October 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Eric A. Bruen, Mayor

ATTEST:

\_\_\_\_\_  
Ricca Charlon, CMC, City Clerk

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**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT**

**SUBJECT:** Award A Construction Contract To Everlevel Holdings LLC. To Construct The West Ward Ave. Phase 1 Street Rehabilitation Project, Federal Project No. STPL-5385(067) In The Amount Of One Million Eight Hundred & Sixty-Four Thousand Seven Hundred Sixteen Dollars (\$1,864,716.00); And Authorize The City Manager, Ronald Strand, To Execute The Contract

**PRESENTED BY:** Travis Reed, Public Work Director

**SUMMARY:**

On Thursday, October 6<sup>th</sup>, 2022 bids were opened to construct the West Ward Ave. Project. The Base Bid was comprised of two Bid Schedules. Bid Schedule A and B. Together these Schedules make up the Base Bid. A total of three bids were received as follows:

<b>Bidder</b>	<b>Bid Schedule A</b>	<b>Bid Schedule B</b>	<b>Total Bid</b>
Everlevel Holdings	\$1,121,686.00	\$ 743,030.00	\$1,864,716.00
Bowman Asphalt	\$ 934,708.00	\$1,031,120.00	\$1,965,828.00
Griffith Company	\$1,202,747.00	\$ 866,153.00	\$2,068,900.00
Engineers Estimate	\$ 894,332.00	\$ 558,550.00	\$1,452,882.00

**Funding – Source: Measure V (Bid Schedule A)**

<b>Item</b>	<b>Cost</b>
Sch. A	\$1,121,686.00
10% Construction Contingency	\$ 112,168.60
Total (Not to Exceed)	\$1,233,854.60

**Projected Measure V Project Costs – (Assuming zero (0) Change Orders)**

<b>Item</b>	<b>Cost</b>
Preliminary Engineering (Reso. 20-11, PO 20-317)	\$58,768.16
Construction – Everlevel Holdings	\$1,121,686.00
Construction Management, Inspection, Testing & Training. (Reso 22-40, PO 22-317)	\$100,378.00
<b>Sub Total</b>	<b>\$1,280,832.16</b>
Construction Contingency (10% of Base Bid)	\$112,168.60
<b>Total Project Cost</b>	<b>\$1,393,000.76</b>
<b>Less RSTP Funding (%88.53 of estimate)</b>	<b>(\$774,611.00)</b>
<b>Grand Total (From Measure V)</b>	<b>\$618,389.76</b>

Ridgecrest City Council  
 Successor Redevelopment Agency  
 Financing Authority  
 Housing Authority  
**STAFF REPORT**

**Funding – Source: Wastewater Enterprise Fund (Bid Schedule B)**

Item	Cost
Sch. B	\$743,030.00
10% Construction Contingency	\$ 74,303.00
Total (Not to Exceed)	\$ 817,333.00

**Projected Wastewater Enterprise Project Costs – (Assuming zero (0) Change Orders)**

Item	Cost
Preliminary Engineering (Reso. N/A under CM Spend Limit PO 22-157)	\$24,956.00
Construction – Everlevel Holdings	\$743,030.00
Construction Management, Inspection, Testing & Training. (Reso & PO Pending Amendment)	\$32,147.00
<b>Sub Total</b>	<b>\$800,133.00</b>
Construction Contingency (10% of Base Bid)	\$74,303.00
<b>Total Project Cost</b>	<b>\$874,436.00</b>

The West Ward Ave. Phase I Project, was solicited on September 15<sup>th</sup>, 2022. Bids were received on October 6<sup>th</sup>, 2022 and were opened at the Finance Counter by City staff in the presence of Contractor Representatives. After the presentation an apparent low bidder, Everlevel Holdings LLC., was announced with the caveat that bids were subject to review by the City’s selected Engineering Firm, Willdan Engineering, and the Engineer in Responsible Charge of the project, Mr. Mike Bustos.

After Mr. Bustos’ review it was recommended that the Contract be awarded to the Lowest responsible bidder, Everlevel Holdings LLC.

Staff has never worked with Everlevel Holdings LLC., nor has Willdan Engineering, thus an extensive reference check was performed. Below are a few of the responses Staff and Willdan received:

**City of Porterville – Daniel Cervantez - EverLevel performed the work with little problems. There is only a slight issue with one of their subs which is why the project has not been accepted. They performed the work for the expansion of our Transit Center Charging Stations. They are currently working on our Sewer Annexation Project and so far, they have been performing. They are about 40% done with the project. I would work with Everlevel again.**

**City of Ventura – Mark Garcia - There were no issues resulting from Everlevel’s efforts. Everlevel was very accommodating to field changes. Everlevel installed 7 concrete pads for support of emergency generators at various City water pump**

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stations. The work involved over excavation and compaction, electrical conduit placement, steel bar and concrete placement. Quinn Caterpillar placed the generators. Everlevel's electrical subcontractor connected each generator to their respective pump station switch gear/transfer switches. Yes, the City would work with Everlevel again.

**Caltrans – Adam Zumstein - I had no issues working with Everlevel. From what I was told the inspectors in the field had no issues either. Graded winter pullouts on highway 6 and 395. Yes, I would work with them again.**

Staff recommends the contract be awarded for the base bid to the lowest responsible and responsive bidder. Said recommendation is to award the construction contract to Everlevel Holdings LLC., the low base bid in the amount of One Million Eight Hundred Sixty-four Thousand Seven Hundred and Sixteen Dollars and no Cents (\$1,864,716.00).

Therefore, staff recommends the approval of a Contingency in the amount of 10% on both Bid Schedule A and B. Said costs as noted above will come from both Measure V and the Wastewater Enterprise Fund; these costs are not to exceed One hundred and Eighty-six Thousand Four Hundred Seventy-one Dollars and Sixty cents, (\$186,471.60), or Ten percent (10%), without authorization from the council. Construction Contingencies are crucial to the successful completion of a project. Staff took special precaution and did extensive research, conducted field walks, & site survey etc. to limit the unknowns, but with every construction project, we don't know what we don't know. These funds will be utilized for unforeseen work that may arise during the construction process which was unforeseen at the time of bidding.

Currently within the approved budget these are the funds available for the project:

**Measure V (budgeted)**

Expense	\$1,000,000.00
Revenue (Per Budget not Actual)	\$ 741,000.00
Interfund Trans	\$ 260,000.00
Previous PO'S (20-317 & 22-317)	\$ 159,146.16
Total Budget	\$1,159,146.16
Expected Expenses	\$1,393,000.76
<b>Addition Funds Req'd (Difference)</b>	<b>\$ 233,854.60 (20%)</b>

Although the total amount is some 20% over budget, roughly 10% is included for construction Contingency and staff feels the time to act is now. The additional cost can be attributed to inflation which has hit the petroleum and concrete industries rather hard. Staff strategically timed this bid for when contractors are hungry for work and would not have tons of work on the books. (IE: the colder months) It is our feeling that rebidding the project would only cause the cost to rise. Staff consulted with CM Strand and the Finance Director, Mrs. Freese and we all agree we have enough Measure V funds to handle the overage.

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**Wastewater Enterprise Fund (budgeted)**

Expense (Other Capitol)	\$750,000.00
Previous and Pending PO'S (22-157 & 22-317-to be amended)	\$ 57,103.00
Budgeted Pro. Services (310.45.4501.5101.000)	\$ 380,000.00
Total Budget	\$1,130,000.00
Expected Expenses	\$ 874,436.00
Addition Funds Req'd (Difference)	\$ 0 (Under Budget)

Both the Construction Cost and the estimated Professional Services Costs are under budget and this will only require a Budget adjustment/transfer if the full 10% contingency is utilized.

In closing, all the bids were very close in terms of cost. This not only is an indicator of the market, but also is an indication that staff did their jobs in preparing a comprehensive bid set that all the contractors viewed the work in a similar light.

If Council approves, a purchase order will be issued to EverLevel Holdings LLC. for the total contract amount of \$2,051,177.60 (\$1,864,716.00 + \$186,461.60) inclusive of: the base bid price and contingency.

**FISCAL IMPACT:** \$2,051,177.60 for Construction Costs and contingency, funded from Measure V and the Wastewater Enterprise Fund.

**ACTION REQUESTED:**

1. Allocate Measure V funds of \$1,233,854.60 for the West Ward Phase 1 Improvement Project Bid Schedule A. Of which an addition \$233,854.60 shall come from Measure V Reserves.
2. Allocate Wastewater Enterprise funds of \$ 874,436.00 for the West Ward Phase 1 Improvement Project Bid Schedule B.
3. Authorizes the award of a Construction Contract to EverLevel Holdings LLC., to Construct the West Ward Phase 1 Improvement Project, in the Amount of One Million Eight Hundred and Sixty-four Thousand Seven Hundred and Sixteen Dollars (\$1,864,716.00).
4. Authorizes the Finance Director to amend the budget to reflect all appropriate capital, revenue and transfer accounts and create a purchase order for EverLevel Holdings LLC., in the amount of \$2,051,177.60.
5. Authorizes The City Manager, Ronald Strand, To Execute the Contract

**CITY MANAGER'S RECOMMENDATION:** Action as Requested

**RESOLUTION NO. 22-\_\_**

**A RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO EVERLEVEL HOLDINGS LLC. TO CONSTRUCT THE WEST WARD AVE. PHASE 1 STREET REHABILITATION PROJECT, FEDERAL PROJECT NO. STPL-5385(067) IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED & SIXTY-FOUR THOUSAND SEVEN HUNDRED SIXTEEN DOLLARS (\$1,864,716.00); AND AUTHORIZE THE CITY MANAGER, RONALD STRAND, TO EXECUTE THE CONTRACT**

**WHEREAS**, On Thursday, October 6, 2022 bids were opened to construct the West Ward Ave. Phase 1 Street Rehabilitation Project; and,

**WHEREAS**, A total of three bids were received and the results are as follows:

<b>Bidder</b>	<b>Bid Schedule A</b>	<b>Bid Schedule B</b>	<b>Total Bid</b>
Everlevel Holdings	\$1,121,686.00	\$ 743,030.00	\$1,864,716.00
Bowman Asphalt	\$ 934,708.00	\$1,031,120.00	\$1,965,828.00
Griffith Company	\$1,202,747.00	\$ 866,153.00	\$2,068,900.00
Engineers Estimate	\$ 894,332.00	\$ 558,550.00	\$1,452,882.00

**WHEREAS**, The bids were reviewed and analyzed by the engineering firm Willdan Engineering and Project Manager, Mike Bustos, for a recommendation of the lowest responsible and responsive bidder. Everlevel Holdings LLC. with a base bid of \$1,864,716.00 was recommended as the lowest responsive and responsible bidder; and,

**WHEREAS**, An amount of \$112,168.60 or ten percent (10%) of the \$1,862,716.00 bid amount is needed for construction contingencies; and,

**WHEREAS**, The amount of Measure V funds needed is \$1,393,000.00 for the Base Bid, and contingency; and,

**WHEREAS**, The amount of Wastewater Enterprise Funds needed is \$874,436.00 for the Base Bid, and contingency; and,

**WHEREAS**, A purchase order will be issued to Everlevel Holdings LLC. for total bid amount plus 10% contingency; for a total amount of \$2,051,177.60 to construct the Project; and,

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Ridgecrest hereby:

1. Allocate Measure V funds of \$1,233,854.60 for the West Ward Phase 1 Improvement Project Bid Schedule A. Of which an addition \$233,854.60 shall come from Measure V Reserves.
2. Allocate Wastewater Enterprise funds of \$ 874,436.00 for the West Ward Phase 1 Improvement Project Bid Schedule B.
3. Authorizes the award of a Construction Contract to EverLevel Holdings LLC., to Construct the West Ward Phase 1 Improvement Project, in the Amount of One Million Eight Hundred and Sixty-four Thousand Seven Hundred and Sixteen Dollars (\$1,864,716.00).

4. Authorizes the Finance Director to amend the budget to reflect all appropriate capital, revenue and transfer accounts and create a purchase order for EverLevel Holdings LLC., in the amount of \$2,051,177.60.
5. Authorizes The City Manager, Ronald Strand, To Execute the Contract

**APPROVED AND ADOPTED** this 19<sup>th</sup> day of October, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Eric A. Bruen, Mayor

ATTEST:

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Ricca Charlon  
City Clerk