

RESOLUTION NO. \_\_\_\_\_ (CM)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AWARDING PROFESSIONAL ENGINEERING SERVICES CONTRACT TO MICHAEL K. NUNLEY & ASSOCIATES, INC. (MKN), A CORPORATION, FOR ENGINEERING DESIGN SERVICES FOR THE SEWER PUMP STATION NO. 14 IMPROVEMENTS, IN AN AMOUNT NOT TO EXCEED \$189,270; AND AUTHORIZING AND DIRECTING CITY MANAGER TO EXECUTE SAME**

**WHEREAS,** § 3-5.500 of the Municipal code provides that an RFP or RFQ process is found to be an effective and efficient way to procure professional services and procurement of professional services shall be based on proposals solicited from capable professionals and be evaluated based on a combination of factors including education, training, experience and demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required; and

**WHEREAS,** § 3-5.540 of the Municipal Code provides that contracts for professional services estimated to cost more than One Hundred Thousand and no/100ths (\$100,000.00) Dollars must be awarded by the Council, and that the selection will be based on demonstrated competence and on the education, training and experience and professional qualifications necessary for the satisfactory performance of the services required, that cost will not be the only basis for selection, use a qualifications-based selection process as described in subdivision (a) of § [4527](#)<sup>1</sup> of the California Government Code and negotiated as described in § [4528](#); and

**WHEREAS,** a Request for Qualifications (RFQ) was issued on July 10, 2023, with submissions due August 9, 2023, asking for qualified consultants to assist the City with on-call water and wastewater professional design services; and

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<sup>1</sup> All references to section numbers will be to the California Government Code

**WHEREAS**, a total of 16 firms submitted qualification statements; these statements were reviewed by City staff and an on-call list was developed; and

**WHEREAS**, Michael K. Nunley & Associates, Inc. (MKN) is on this list of eligible on-call consultants and was selected for their knowledge and experience in sewer pump stations and their specific experience working on the City's facilities; and

**WHEREAS**, the City Manager has recommended that the proposal from Michael K. Nunley & Associates, Inc. (MKN), a corporation, in an amount not to exceed \$189,720, be accepted as the best response.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. Approval of this professional services agreement is not a project pursuant to the California Environmental Quality Act (CEQA) because it can be seen with certainty based on substantial evidence in the record that the approval constitutes a government fiscal activity that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. (CEQA Guidelines section 15378(b)(4).) Further, the approval is an administrative activity that would not have the potential to either (1) cause a direct physical change in the environment or (2) cause a reasonably foreseeable indirect physical change in the environment. Therefore, any CEQA analysis would be speculative at this time.

2. That the contract is hereby awarded to Michael K. Nunley & Associates, Inc. (MKN), a corporation, for the sewer pump station No. 14 improvements engineering design services, in an amount not to exceed \$189,270.

3. That the Contract for Consultant Services between the City of Watsonville and MKN, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

4. The City Manager is hereby authorized and directed to execute said contract for and on behalf of the City of Watsonville with minor revisions that may be approved by the City Manager and the City Attorney.

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