

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD AUTHORIZING AN INCREASE IN THE FUNDING AUTHORIZATION WITH TW ASSOCIATES LLC, DBA MISCOWATER LLC IN THE AMOUNT OF \$2,500,000, FOR THE WASTEWATER TREATMENT PLANT EXPANSION – PHASE II, CIP PROJECT NO. 592-59140 (“PROJECT”), AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE NECESSARY DOCUMENTS TO EFFECTUATE THESE ACTIONS

WHEREAS, the existing 5 million gallons per day (“mgd”) Wastewater Treatment Plant (“Plant”) completed construction in 2003 and was planned and built to accommodate future expansions; and

WHEREAS, as the Plant is nearing capacity, the Project is needed to service current and final buildout of the City per the current General Plan; and

WHEREAS, the Wastewater Treatment Plant Expansion – Phase II (“Expansion”) began in FY 2020/21 and the improvements include expanding treatment capacity of the Plant to 6.4 mgd; and

WHEREAS, the final phase of the Expansion work includes construction and installation of the biosolids drying and pyrolysis equipment (“Equipment”) necessary for compliance with requirements set forth by Senate Bill 1383, as state law no longer allows biosolids to be disposed of in landfills; and

WHEREAS, in February 2023, by Resolution No. 2023-17, the City Council approved an agreement to purchase the Equipment from TW Associates LLC, dba MISCOWater LLC (“MISCOWater”), which includes 1) system and special services during design for construction contract documents; 2) equipment supply and delivery; 3) services during construction; and 4) operational assistance for one year; and

WHEREAS, the agreement with MISCOWater was previously approved in the amount of \$18,991,000 plus a 10% contingency of \$1,899,100, for a total not-to-exceed amount of \$20,890,100; and

WHEREAS, due to the relocation of the Equipment to integrate into the existing wastewater treatment process, there are design changes required with MISCOWater; and

WHEREAS, on October 14, 2025, the City Council received an update on the Project, provided direction needed to complete the capacity expansion portion of the Project, and directed staff to return for approval and authorization of the funding; and

WHEREAS, the Equipment that has been purchased and/or delivered is subject to current United States tariffs that did not exist when the Equipment was originally purchased; and

WHEREAS, staff is requesting an increase in funding authorization with MISCOWater in the amount of \$2,500,000 to cover these changes; and

WHEREAS, authorization of the increase in funding will be effectuated as shown in the table below, and will leave a remaining balance of contingency funds of approximately \$901,517; and

	MISCOWATER		
	Base Contract	Contingency	Total
Original Contract	\$ 19,145,756.92	\$ 1,744,343.08	\$ 20,890,100.00
Change Order #1	\$ 154,756.92	\$ (154,756.92)	\$ -
Additional Funding Requested	\$ 2,500,000.00	\$ -	\$ 2,500,000.00
Utilization of Contingency	\$ 688,069.08	\$ (688,069.08)	\$ -
Proposed New Funding Authorization	\$ 22,488,582.92	\$ 901,517.08	\$ 23,390,100.00

WHEREAS, staff recommends approval of the increase in funding authorization with MISCOWater in the amount of \$2,500,000, and authorization to the City Manager or designee to execute necessary documents to effectuate these actions for the Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brentwood does hereby approve and authorize an increase in funding authorization with TW Associates LLC, dba MISCOWater LLC in the amount of \$2,500,000, and authorizes the City Manager or designee to execute necessary documents to effectuate these actions for the Wastewater Treatment Plant Expansion – Phase II, CIP Project No. 592-59140.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on the 9th day of December 2025 by the following vote: