



MEMORANDUM

TO: City Council

FROM: Bill Robeson, Assistant City Manager/Public Works Director

BY: Jill McPeck, Capital Improvement Project Manager

SUBJECT: Consideration of Adoption of a Resolution Pursuant to Public Contract Code Section 22050 Determining to Continue Work Under Emergency Contracts for the Storm Drain System at 251 East Grand Avenue Project, PW 2021-12

DATE: February 22, 2022

SUMMARY OF ACTION:

Adoption of a Resolution by the required four-fifths vote will allow for the continuance of emergency repairs to the storm drain system at 251 East Grand Avenue.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

The FY 2021-22 Capital Improvement Program (CIP) budget, as amended, includes \$525,800 of American Rescue Plan Act (ARPA) funds for repair of the Storm Drain System at 251 East Grand Avenue Project. Staff time has been and will continue to be necessary to coordinate construction activities with the property owners, consultant engineer, and contractors.

RECOMMENDATION:

Adopt a Resolution finding that there is a need to continue the emergency action for the storm drain system repairs at 251 East Grand Avenue in accordance with Public Contract Code Section 22050.

BACKGROUND:

Public Contract Code (PCC) Section 22050 allows a public agency, in the case of an emergency, to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes without going through a formal bid process. On November 9, 2021, the Council adopted Resolution No. 5124 declaring an emergency and authorizing the immediate expenditure of funds to repair the storm drain system located at 251 East Grand Avenue, which had failed following a storm that occurred in October 2021. The urgency for the repairs is to prevent storm water from entering the deteriorating

City Council

Consideration of Adoption of a Resolution Pursuant to Public Contract Code Section 22050 Determining to Continue Work Under Emergency Contracts for the Storm Drain System at 251 East Grand Avenue Project, PW 2021-12

February 22, 2022

Page 2

corrugated metal pipe (CMP) which undermines the soil surrounding the CMP and causes voids under the pavement leading to surface depressions and eventually sink holes.

PCC Section 22050 requires that after proceeding with an emergency project, the City Council shall review the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the emergency action is terminated, and if it is determined that there is a need to continue the action, authorize continuation of the emergency action by a four-fifths vote. On February 8, 2022, the Council adopted Resolution No. 5154 determining a need to continue work under emergency contracts to repair the storm drain system at 251 East Grand Avenue. At the February 8th meeting, Council also approved an amendment to the FY 2021-22 CIP Budget, transferring \$115,800 of ARPA funds to the project to address additional unanticipated underground concrete removal in the alignment of the new storm drain pipe. The critical removal of the obstructions was successful, along with the subsequent installation of the new pipe. There are a few final components of the project listed below that staff anticipates will be completed in the next two weeks.

ANALYSIS OF ISSUES:

Since the February 8, 2022 Council meeting, the status of the project as of February 16, 2022, is as follows:

- California Auger Boring completed grouting around the outside of the new storm drain pipe in the area of obstructions to fill any voids that may have occurred during boring operations;
- CalPortland completed removal of the bore pit trench boxes; and
- CalPortland began construction of the new headwalls at the inlet and outlet of the new storm drain pipe.

As of February 16, 2022, the project costs are estimated as follows, including expended plus anticipated costs:

Plug and fill existing CMP storm drain	\$ 47,200
Installation of new storm drain pipe	336,300
Extra work due to new storm drain obstructions	102,600
Site restoration, fencing & barricade rental	15,600
Before/after testing of fuel lines	2,800
Consultant services - design, construction, testing	<u>21,300</u>
Total	\$ 525,800

Item 8.g.

City Council

Consideration of Adoption of a Resolution Pursuant to Public Contract Code Section 22050 Determining to Continue Work Under Emergency Contracts for the Storm Drain System at 251 East Grand Avenue Project, PW 2021-12

February 22, 2022

Page 3

With the failed CMP being filled, the potential for directed storm water flow into the failed CMP and surrounding voids no longer exists and storm water will now enter the new permanent storm drain pipe. However, prompt actions still required to complete the project include lining of the new pipe, testing of the fuel lines, and site restoration. For these reasons, staff recommends continuing the emergency action.

As required by statute, staff will continue to bring a similar item to the Council on all subsequent regular meeting agendas until all emergency repairs have been completed and the emergency action is terminated by the Council. Staff will continue to work with the contractors and design engineer to complete the emergency repairs.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Adopt a Resolution determining a need to continue work under the emergency declaration;
2. Do not adopt the proposed Resolution and direct staff to prepare a resolution to terminate the emergency declaration; or
3. Provide other direction to staff.

ADVANTAGES:

Adoption of the Resolution will allow for the continuance of emergency repairs to the storm drain system at 251 East Grand Avenue and will eliminate a serious threat to public health and safety and minimize disruptions to the Chevron station's operations.

DISADVANTAGES:

None identified at this time.

ENVIRONMENTAL REVIEW:

No environmental review is required for this item.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

ATTACHMENT:

1. Proposed Resolution