



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: January 11, 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 includes \$410,000 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 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.

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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 December 14, 2021, the Council adopted Resolution No. 5137 determining a need to continue work under emergency contracts to repair the storm drain system at 251 East Grand Avenue.

ANALYSIS OF ISSUES:

Since the December 14, 2021 Council meeting, the status of the project as of January 4, 2022, is as follows:

- The sizing and material for the new storm drain pipe were selected by staff and the design engineering consultant team.
- The design engineer performed survey staking for the layout of the pore pit.
- The agreement with CalPortland was amended to complete the bore pit excavation and place the base rock and trench boxes.
- The agreement with California Auger Boring was amended to furnish and install a new 36" storm drain pipe.

As of January 4, 2022, the project costs are estimated as follows:

Plug and fill existing CMP storm drain	\$ 47,200
Install new storm drain pipe	281,200
Site restoration, fencing & barricade rental	13,800
Before/after testing of fuel lines	2,800
Consultant services – design & construction	<u>25,000</u>
Total	\$ 370,000

With the failed CMP being filled, the potential for directed storm water flow into the failed CMP and surrounding voids no longer exists and the storm water continues to be temporarily redirected away from the original discharge point. The need to construct the permanent storm drain as quickly as possible remains so that other storm water/drainage issues in the area where the storm water has been redirected are avoided. For these safety reasons, staff recommends continuing the emergency action.

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

ALTERNATIVES:

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

1. Adopt a Resolution determining a need to continue work under emergency action;
2. Do not adopt the proposed Resolution and direct staff to prepare a Resolution to terminate the need to continue work under emergency action; 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