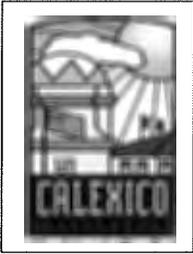


**AGENDA
ITEM
7**



AGENDA STAFF REPORT

DATE: February 6, 2019

TO: Mayor and City Council

APPROVED BY: David B. Dale, City Manager *DD*

PREPARED BY: Lilliana Falomir, Public Works Manager *L Falomir*

SUBJECT: Resolution of the City Council of the City of Calexico Pursuant to Public Contracts Code (PCC) Section 2016B Finding that an Emergency Exists Due to Deteriorated Sewer Manhole and Authorizing Contracting without the Need for Bidding Pursuant to PCC Section 22050.

=====

Recommendation:

Adopt a Resolution of the City Council of the City of Calexico Pursuant to Public Contracts Code (PCC) Section 2016B Finding that an Emergency Exists Due to a Deteriorated Sewer Manhole and Authorizing Contracting without the Need for Bidding Pursuant to PCC Section 22050.

Background:

Some of the City's water and sewer underground infrastructure is past its useful life and is beginning to fail. During the construction of Cesar Chavez Blvd. Improvement Project a 48" sewer manhole was found and inspected using specialized camera. The inspection found that the sewer manhole is deteriorate state and needs to be repaired as soon as possible before it collapses. Public Works staff requested price quotes from three (3) local companies that perform this type of work but only one (1) company provided price quote. A&R Construction provided a price quote in the amount of \$46,054.98.

Discussion & Analysis:

Pursuant to Public Contracts Code (PCC) § 20168, the City Council may declare that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property. In accordance with PCC §§ 20168 and 22050, the City Council may repair or replace a public facility, take any related and immediate action required by that emergency, and procure the necessary equipment, services

**AGENDA
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and supplies for those purposes, without giving notice for bids to let contracts. Under PCC § 1102 an emergency means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

The recent discovery of the collapsed manhole poses a clear and imminent danger requiring immediate actions to prevent or mitigate the loss or impairment of life, health, property and/or essential public services. Sufficient funds exist in the City' wastewater operating fund to pay for the repair. For this reason, Public Works staff is requesting that the City Council of the City of Calexico adopt the attached resolution authorizing the City Manager to sign an agreement with A&R Construction for said repairs without competitive bidding.

Fiscal Impact:

Wastewater Operating Funds \$46,054.98.

Coordinated With:

Public Works Department.

Attachment(s):

1. Resolution of the City Council of the City of Calexico Pursuant to Public Contracts Code (PCC) Section 2016B Finding that an Emergency Exists Due to Deteriorated Sewer Manhole and Authorizing Contracting without the Need for Bidding Pursuant to PCC Section 22050.
2. A&R Construction Proposal.

RESOLUTION NO. 2019-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO (CITY) PURSUANT TO PUBLIC CONTRACTS CODE (PCC) SECTION 20168 FINDING THAT AN EMERGENCY EXISTS DUE TO A DETERIORATED SEWER MANHOLE AND AUTHORIZING CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO PCC SECTION 22050

WHEREAS, pursuant to Public Contracts Code (PCC) § 20168, the City Council may declare that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property; and

WHEREAS, in accordance with PCC §§ 20168 and 22050, the City Council may repair or replace a public facility, take any related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts; and

WHEREAS, under PCC § 1102 an emergency means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and

WHEREAS, the City of Calexico (City) provides wastewater services to its residents via the City's Wastewater Treatment Plant (Plant); and

WHEREAS, some of the City's underground water distribution system and sewer collection system is beyond its expected service life; and

WHEREAS, Public Works staff recently discovered a deteriorated 48" sewer manhole, which is an unexpected occurrence that poses a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, and/or essential public services and constitutes an emergency; and

WHEREAS, City staff has identified a contractor, A&R Construction to provide the repair services for a price totaling Forty-Six Thousand Fifty-Four and 98/100 Dollars (\$46,054.98); and

WHEREAS, sufficient funds exist in the City's wastewater operating fund to pay for the sewer manhole repair.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO HEREBY RESOLVES AS FOLLOWS:

Section 1. The above-listed recitals are true and correct and incorporated herein.

Section 2. The City Council finds, determines and declares that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health and/or property at Cesar Chavez Blvd. due to deteriorated sewer manhole. The City Council further

Resolution No. 2019-_____

finds that under these emergency conditions, the delay resulting from public bidding for the repairs imperil essential public services.

Section 3. Based on the foregoing, the City Council authorizes the City Manager to execute a purchase order and/or contract with A&R Construction for the above stated repairs totaling Forty-Six Thousand Fifty-Four and 98/100 Dollars (\$46,054.98), in accordance with the specific terms set forth in the accompanying staff report.

Section 4. The City Council will review this emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the work described above is completed. If necessary, the City Council must determine by a four-fifths vote that there is a need to continue the work at each meeting.

Section 5. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 6th day of February, 2019.

Lewis Pacheco, Mayor

Attest:

Gabriela T. Garcia, Deputy City Clerk

Approved as to Form:

Carlos L. Campos, City Attorney

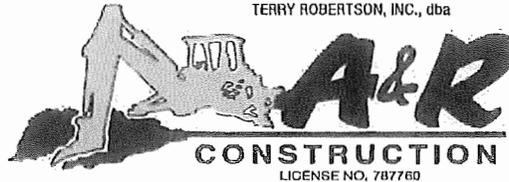
State of California)
County of Imperial) ss.
City of Calexico)

I, Gabriela T. Garcia, City Clerk of the City of Calexico, California, do hereby certify that the above and foregoing Resolution No. 2019-_____ was duly passed, approved and adopted by the City Council at its regular meeting held on the 6th day of February, 2019, by the following vote, to-wit:

Resolution No. 2019-_____

AYES:
NOES:
ABSENT:

Gabriela T. Garcia, Deputy City Clerk



OFFICE (760) 344-4653 • FAX (760) 344-4146
1631 RIVER DRIVE • BRAWLEY, CA 92227-1747

Unitary Proposal

Proposal# 3098

PROPOSAL SUBMITTED TO City of Calexico	PHONE (760) 768-6164	FAX (760) 768-3661	DATE
STREET/BOX 640 Pierce Avenue	PROJECT NAME Complete Removal of Manhole		PLANS APPROVED
CITY/STATE AND ZIP Calexico CA 92231	PROJECT LOCATION Cesar Chaves Ave		CITY Calexico
ENGINEER	PROJECT DESCRIPTION Manhole Removal		DATE OF PLANS

Bid Item	Description	Unit	Quantity	Unit price	Total Price
1	We propose to remove one existing 48" ID Sewer Manhole on Cesar Chaves Ave as discussed. We will supply all the Labor & Equipment to establish a sewage by pass to isolate the Manhole that needs to be replaced. This proposal is for a complete removal and replacement of the existing manhole. The manhole coating is not a part of this proposal.	LS	1		
	Materials:				
2	18" Clay x pvc Fernco Couplings @ \$140.34	EA	2	140.34	280.68
3	18" SDR-35 @ \$22.06	FT	20	22.06	441.20
4	18" Water Stops @ \$49.96	EA	2	49.96	99.92
5	7,000 PSI Concrete @ \$115.00	CY	4	115.00	460.00
6	48" ID Manhole Shaft @ \$196.85	VF	12	196.85	2,362.20

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the total sum above. Which is due and payable upon completion of job.

This proposal does not include; permits, including any required fees or bonds, engineering, asbestos, testing or staking; bond premiums, and swppp. Unless expressly included in above listing of work, unusual site conditions such as buried trash, concrete, abandoned utilities, mud, rock, etc., that were not apparent on the surface or expressly disclosed in writing to the date hereof, shall be deemed for additional compensation and cessation of work until agreement for same has been reached.

A 2% service charge (annual 24%) will be charged for all past due amounts. If any action is brought to enforce collection, attorney's fees and court costs will be charged.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Owner to carry fire and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized
Signature: _____

Johnnie Combs Jr.

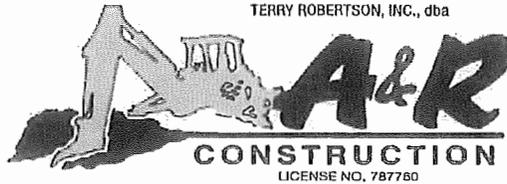
NOTE: This proposal may be withdrawn by us if not accepted within thirty days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____

Date of
Acceptance: _____



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CITY/STATE AND ZIP Calexico CA 92231	PROJECT LOCATION Cesar Chaves Ave		CITY Calexico
ENGINEER	PROJECT DESCRIPTION Manhole Removal		DATE OF PLANS

Bid Item	Description	Unit	Quantity	Unit price	Total Price
7	30" A 1254 (Sewer) Ring & Cover @ \$795	EA	1	795.00	795.00
8	Freight	LS	1	850.00	850.00
9	National Coating & Lining (Spray Raven 405) on Interior of New Manhole	LS	1	5,995.00	5,995.00
10	Shoring	LS	1	3,895.00	3,895.00
11	Sewage By Pass Sub Contracted to Rain For Rent	LS	1	10,750.00	10,750.00
	Equipment:				
12	330 Excavator	HRS	10	245.00	2,450.00
13	938 Loader	HRS	8	160.00	1,280.00

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Owner to carry fire and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

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Signature _____

Johnnie Combs Jr.

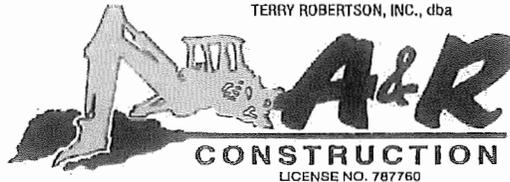
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ENGINEER	PROJECT DESCRIPTION Manhole Removal		DATE OF PLANS

Bid Item	Description	Unit	Quantity	Unit price	Total Price
14	Service Truck	HRS	16	65.00	1,040.00
15	Labor: Foreman	HRS	16	125.00	2,000.00
16	Labor	HRS	64	110.00	7,040.00
17	15% Overhead & Profit	LS	1	5,960.85	5,960.85
18	Sales Tax	LS	1	355.13	355.13
Totals:					46,054.98

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