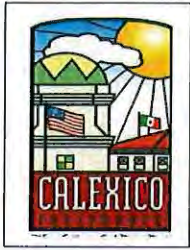


**AGENDA
ITEM**

11



AGENDA STAFF REPORT

DATE: October 6, 2021

TO: Mayor and City Council

APPROVED BY: Miguel Figueroa, City Manager *MF*

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

SUBJECT: Authorize City Manager to File Notice of Completion for Repair of One (1) Sewer Manhole at the Intersection of Imperial Avenue and Sixth Street.

=====

Recommendation:

Authorize City Manager to File Notice of Completion for Repair of One (1) Sewer Manhole at the Intersection of Imperial Avenue and Sixth Street.

Background:

On September 1, 2021, the City Council of the City of Calexico adopted Resolution No. 2021-30 Pursuant to Public Contract Code (PCC) Section 20168 finding that an emergency exists due to the need to repair one (1) sewer manhole at the intersection of Imperial Avenue and Sixth Street and authorized contracting without the need for Bidding Pursuant to PCC Section 22050.

Discussion & Analysis:

On September 10, 2021, A&R Construction completed the repair of one (1) sewer manhole at the intersection of Imperial Avenue and Sixth Street, therefore Public Works staff is recommending that the City Council of the City of Calexico authorize the City Manager to file Notice of Completion for said project.

Fiscal Impact:

Capital Improvement Program Budgeted Item for FY 2021-2022	
Wastewater Enterprise Funds	\$49,225.38
Total	\$49,225.38

Coordinated With:

Public Works Department.



Attachment(s):

1. Notice of Completion.
2. Resolution No. 2021-30.

RECORDING REQUESTED BY:
City of Calexico

AND WHEN RECORDED MAIL TO:
City of Calexico
Public Works Department
608 Heber Avenue
Calexico, California 92231

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is City of Calexico
3. The full address of the owner is 608 Heber Avenue, Calexico, California 92231
4. The nature of the interest or estate of the owner is:
In fee
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are

NAMES	ADDRESSES
<u>None</u>	
6. The full names and full addresses of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work or improvements herein referred to

NAMES	ADDRESSES
<u>None</u>	
7. A work of improvement on the property hereinafter described was completed on 09/10/2021. The work done was repair one (1) sewer manhole at the intersection of Imperial Avenue and Sixth Street.
8. The name of the contractor, if any, for such work of improvement was A&R Construction, 1631 River Drive, Brawley, CA 92227
09/01/2021
(Date of Contract)
9. The property on which said work of improvement was completed is in the City of Calexico, County of Imperial, State of California, and is described as follows:
Repair of One (1) Sewer Manhole at the Intersection of Imperial Avenue and Sixth Street.
10. The street address of said property is intersection of Imperial Avenue and Sixth Street.

Dated 10/06/2021

Miguel Figueroa, City Manager
City of Calexico

VERIFICATION

I, the undersigned, say: I am the City Manager, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true to my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 06, 2021, at Calexico, California

Miguel Figueroa, City Manager
City of Calexico

RESOLUTION NO. 2021-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO (CITY) PURSUANT TO PUBLIC CONTRACT CODE (PCC) SECTION 20168 FINDING THAT AN EMERGENCY EXISTS DUE TO THE NEED TO REPAIR ONE (1) SEWER MANHOLE IN THE INTERSECTION OF IMPERIAL AVENUE AND SIXTH STREET AND AUTHORIZING CONTRACTING WITHOUT COMPETITIVELY BIDDING A CONTRACT PURSUANT TO PCC SECTION 22050

WHEREAS, pursuant to Public Contract 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 sewer services to its residents via the City's Wastewater Collection System; and

WHEREAS, the Wastewater Collection System has numerous sewer manholes that are used to house an access point for making connections or performing maintenance to the City's sewer collection system; and

WHEREAS, Public Works staff recently discovered the significant operability problems with the sewer manhole in the intersection of Imperial Avenue and Sixth Street, 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 repair the sewer manhole for a reasonable price totaling Forty Nine Thousand Two Hundred Twenty-Five and 38/100 Dollars (\$49,225.38); and

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

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

Section I. 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 the City of Calexico's Wastewater Collection System due to deteriorated sewer manhole in the intersection of Imperial Avenue and Sixth Street. The City Council further finds that under these emergency conditions, the delay resulting from public bidding for the repair of the sewer manhole would imperil essential public services and pose a risk of loss or impairment of life, health, and property.

Section 3. Based on the foregoing, the City Council authorizes the City Manager to execute a purchase order and/or contract with A&R Control Systems Engineering, Inc. for the repair of one (1) sewer manhole in the intersection of Imperial Avenue and Sixth Street totaling Forty-Nine Thousand Two Hundred Twenty-Five and 38/100 (\$49,225.38), 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 1st day of September, 2021.



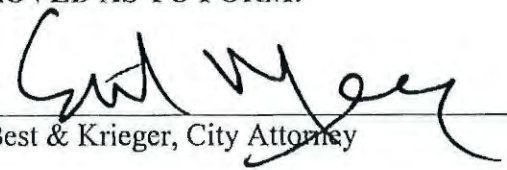
Javier Moreno, Mayor

ATTEST:



Gabriela T. Garcia, City Clerk

APPROVED AS TO FORM:



Best Best & Krieger, 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. 2021-30 was duly passed, approved and adopted by the City Council at its regular meeting held on the 1st of September, 2021, by the following vote, to-wit:

AYES: Moreno, Ureña, Romo, Arreola-Fernandez
NOES: None
ABSENT: Garcia
ABSTAIN: None



Gabriela T. Garcia, City Clerk