



AGENCY: City Council / MID
MEETING DATE: September 28, 2020
DEPARTMENT: Director of Public Works
PRESENTED BY: John Smith
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AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Adoption of Joint City Council/Municipal Improvement District Resolution for Emergency Repair of a Sewer Main Line in Highway 1 and Authorizing the City/District Manager to Sign Related Documents

ISSUE:

During the Caltrans highway project, the contractor discovered a large sink hole on Highway 1 (Main Street) near Alder Street. After initial assessment, staff recommends an emergency repair of the sewer line. The City of Fort Bragg Municipal Code (FBMC) and the California Public Contract Code (PCC) provide the proper authorities to expedite purchases of Goods and Services in the case of an emergency.

ANALYSIS:

On Wednesday, September 23, 2020, a contractor working for Caltrans was grinding a section of asphalt in the #2 southbound lane of Highway 1 near Alder Street in preparation for resurfacing the location. After application of the new surface, the contractor observed a depression in the street. After further investigation, a void beneath the asphalt was discovered. The approximate dimensions of the cavity are 4'X10'X5' deep. The type of sewer pipe in this location is called Techite. In the 1970s, Techite pipe was used for high pressure water and sewer lines. Other agencies began discovering soft failures after five years and major failures after ten years.

Our Municipal Code provides guidance through proper avenues to complete emergency repairs of this kind expeditiously and according to the rules and regulation of Public Works contracts code. FBMC Section 3.20.030 provides:

D. In case of an emergency, when public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property.

G. When, by a four-fifths vote, the District Board specifically waives the procedures described in this chapter and authorizes staff to negotiate the purchase.

PCC Section 20168 provides under Article 4, Cities, that:

20168. In case of an emergency, the legislative body may pass a resolution by a four-fifths vote of its members declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property. Upon adoption of the resolution, it may expend any sum required in the emergency without complying with this chapter. If notice for bids to let contracts will not be given, the legislative body shall comply with Chapter 2.5 (commencing with Section 22050).

Chapter 2.5 of the PCC, entitled Emergency Contracting Procedures, states:

22050. (a) (1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may 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 giving notice for bids to let contracts.

(2) Before a governing body takes any action pursuant to paragraph (1), it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

At this time, staff requests that the City Council/District Board authorize use of Wastewater Enterprise funds to complete the repair of the failed sewer line to prevent further damage to property and further minimize risk of life and health.

The Scope of Work is expected to include removal and replacement of up to 80 feet of 21" sewer pipe. This is followed by a total of 600' of Cured in Place Pipe (CIPP) to reinforce the remainder of sewer line within the Caltrans right-of-way. Bypass pumping is necessary to route sewerage around the excavation. Backfill and Hot Mix Asphalt (HMA) according to Caltrans specifications will complete the work.

RECOMMENDED ACTION:

Staff recommends adoption of the Resolution to complete the emergency repair of the sewer line to prevent further damage to property and reduce health risk. Four of the five Councilmembers must approve the emergency repair resolution per Section 22050(a)(1) for it to be adopted.

ALTERNATIVE ACTION(S):

1. Take no immediate action and wait to complete the proper RFP and bid process.
2. Provide alternative direction to staff.

FISCAL IMPACT:

Cost of repairs will reduce Wastewater Enterprise fund balance.

GREENHOUSE GAS EMISSIONS IMPACT:

Greenhouse gas emissions will increase due to use of vehicles during the project.

CONSISTENCY:

The work is consistent with our National Pollution Discharge Elimination System Permit to prevent discharge of untreated sewer entering the Waters of the State and providing proper maintenance of sewer facilities.

IMPLEMENTATION/TIMEFRAMES:

Engineering and procurement to begin within 24 hours of approval.

ATTACHMENTS:

1. Resolution

NOTIFICATION:

None