

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACERVILLE DECLARING UNDERGROUND AND SUBSURFACE FAILURES LOCATED AT 140 FORNI ROAD AN IMMINENT THREAT TO THE ENVIRONMENT, PUBLIC HEALTH, SAFETY, AND WELFARE; APPROVING A CONSTRUCTION CONTRACT WITH NOR-CAL PIPELINE SERVICES IN THE AMOUNT OF \$168,105.00, AND DOUG VEERKAMP GENERAL ENGINEERING, INC. IN THE AMOUNT OF \$85,000.00 FOR THE FORNI ROAD STORM DRAIN REPAIR PROJECT (CIP #42345); AND APPROVING A \$325,000 BUDGET APPROPRIATION FROM THE GENERAL FUND UNASSIGNED FUND BALANCE FOR THE SAID PROJECT

WHEREAS, as a result of severe weather and record setting rainfall events that transpired from December 30, 2022 and into January of 2023 and ensuing declarations of emergency by the City, State, and Federal Government, a segment of the City's storm drain system failed and caused an upstream sink hole that necessitated the closure of the center turn lane at 140 Forni Road; and

WHEREAS, upon identification of these infrastructure failures, it was determined that the scope of work associated with replacing the failed infrastructure in a timely manner to restore public services was beyond available City resources; and

WHEREAS, in accordance with Public Contract Code 22035, staff contacted the City's on-call emergency services contractor to assist in stabilizing the area and upon staff's review of the damage, a recommended scope was developed and discussed with the City's on-call contractor who then prepared an estimate for the repairs.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Placerville does hereby declare:

1. The failing 48-inch storm drain pipe and subsurface failures located within the public right-of-way at 140 Forni Road are an imminent threat to the environment, public health, safety, and welfare, and urgently require repair/replacement; and
2. Public interest and necessity demand the immediate commencement of the above-described work and the expenditure of public money, in order to safeguard life, health, and further property damage that will occur unless these conditions are repaired immediately; and
3. Substantial evidence, as set forth in this resolution, demonstrates that the emergency conditions would not permit delay resulting from competitive bidding because the work must be commenced and finished as soon as possible in order to prevent injury to the public or further property damage; and
4. Because of the above reasons, competitive bidding would not provide an advantage for the public; and
5. The actions authorized by this approval (the "Project") is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Guideline Section 15269, which applies to projects to maintain, repair, restore, demolish or repair property or facilities damages or destroyed as a result of a disaster. The City Manager declared a local state of emergency on December 31, 2022, which the City Council ratified on January 6, 2023. Staff is directed to file a Notice of Exemption; and

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6. Approve a construction contract with Nor-Cal Pipeline Services for the Forni Road Storm Drain Repair project (CIP #42345) in an amount not to exceed \$168,105.00 for necessary equipment, services, and supplies to install a cast-in-place liner into the existing failing 48-inch storm drain pipe crossing Highway 50 starting at 140 Forni Road; and
7. Approve a construction contract with Doug Veerkamp General Engineering, Inc. for the "Project" in an amount not to exceed \$85,000.00 for necessary equipment, services, and supplies to prepare the pipe for lining, backfill, compaction at the sinkhole, and paving restoration near 140 Forni Road; and
8. Authorize the City Manager to execute the same and execute any necessary Contract Change Orders with either Nor-Cal Pipeline Services or Doug Veerkamp General Engineering, Inc. up to \$25,000 per change order for the project for a note to exceed aggregate amount of \$61,895. The said change orders shall be brought to the next available City Council meeting for either approval or ratification; and
9. Approve a budget appropriation in the amount of \$325,000 from the General Fund unassigned fund balance for the said project.

The foregoing Resolution was introduced at a regular meeting of the City Council of the City of Placerville held on April 25, 2023 by Councilmember _____ who moved its adoption. The motion was seconded by _____. The motion was passed by the following vote:

AYES:**NOES:****ABSENT:****ABSTAIN:**

 Mayor Michael Saragosa

ATTEST:

 Regina O'Connell, CPMC, City Clerk