SWEETWATER SPRINGS WATER DISTRICT

TO: Board of Directors **AGENDA NO. V-F**

FROM: Steve Mack, General Manager

Meeting Date : May 4, 2017

Subject: APPROVAL OF RESOLUTION 17-07 WHICH APPROVES AN EMERGENCY CONTRACT FOR REPAIR OF A DAMAGED WATER LINE ON NEELEY ROAD AND DECLARES THE EMERGENCY SITUATION OVER

RECOMMENDED ACTION: Approve Resolution 17-07 which approves an emergency contract with Piazza Construction for repair of a section of damaged water line on Neeley Road in Guerneville, CA for a not to exceed cost of $25,000 and terminates the emergency condition.

FISCAL IMPACT: not more than $25,000.

DISCUSSION:

As of the date of writing this report, we are working on an emergency repair project on Neeley Road, close to where it meets with the western-most intersection with Guernewood Road. On Wednesday, April 19, 2017, we had a leak repair on Neeley Road with road paving cracking indicating that the road was failing (the river side of the road embankment is very steep and approximately 15-20 feet deep and the water main is close to the edge of the embankment). On Thursday, April 20, evening we had another main break approximately 20 feet from the first. District field staff were up all night repairing this leak. On Friday I inspected the damaged area along with field staff and determined that the chance of continued failure in this area is high and that another failure could be more catastrophic - this entire section of Neeley Road could fail causing loss of water supply to the Vacation Beach area.

It's not clear what is causing the failure - did our leak cause the road to buckle, did the winter rains cause this road section to move (this is an ongoing issue with multiple asphalt overlays in this section), a combination of both, or something else? The water line in this area is 6" Transite (asbestos concrete pipe) which does not flex well (or cracks easily with ground movement).

Because of the multiple failures and the chance of big issues if the failures continue, we have asked Piazza Construction to do an emergency repair. This repair will replace approximately 225 feet of Transite with High Density Polyethylene (HDPE) and two services. We expect the repair to cost approximately $20,000 but have put in an not to exceed cost of $25,000 in the accompanying Resolution 17-07 so that .

We expect this repair to be completed by next Thursday (May 4). After completion of the emergency project, this emergency situation should be over.

Resolution No. 17-07

A Resolution of the Board of Directors of the Sweetwater Springs Water District Approving An Emergency Contract With Piazza Construction In An Amount Not To Exceed $25,000 And Declaring The Emergency Condition Terminated

WHEREAS, on April 19. 2017, District staff found and fixed a leak on Neeley Road near the westernmost intersection with Guerneville Road; and

WHEREAS, at that time staff noticed road asphalt buckling and crackling at the leak site and many historical applications of asphalt overlays along that stretch of roadway; and

WHEREAS, on April 20, 2017, another leak was found and fixed approximately 20 feet from the prior leak, which repair work was done through the night and completed the morning of April 21, 2017; and

WHEREAS, during the examination of these leaks and the condition of the roadway, staff became concerned with the possibility and likelihood of more leaks, with resulting potential loss of water, loss of water supply to the Vacation Beach area, roadway embankment failure, damage to surrounding property, and other deleterious results; and

WHEREAS, the stretch of Neeley Road that appeared to be affected and in danger is approximately 225 feet in length and beyond the capability of staff to repair without contractual services; and

WHEREAS, Piazza Construction was available to inspect the problem area immediately and start repair work quickly, and had the proper equipment to effect the needed repair, and

WHEREAS, Piazza Construction immediately commenced repairs; and

WHEREAS, District staff expects Piazza Construction to be finished with the repairs and construction of a new water line section, in order for the District to be delivering water by May 4, 2017; and

WHEREAS, the cost estimate of the emergency repairs is approximately $25,000, and District funds are available for this purpose; and

WHEREAS, with completion of the repairs, staff has determined that the emergency conditions have been resolved; and,

WHEREAS, the Sweetwater Springs District Board of Directors hereby finds as follows:

A. Pursuant to California Public Contract Code Section 20168, the public interest and necessity demanded the immediate commencement of the above-described

work on Neeley Road and the expenditure of public money for such work to safeguard life, health and property;

B. Pursuant to California Public Contract Code Section 22050, substantial evidence as set forth in the staff report prepared concerning this resolution, and as set forth in this resolution, establishes that the emergency conditions at the Neeley Road site would not permit delay resulting from competitive solicitation for bids for the work staff ordered done at such properties as described above, and such work was necessary to respond to the emergency conditions at the Neeley Road site;

C. Competitive bidding of the emergency work ordered at the Neeley Road site would have jeopardized the public health, safety and welfare, and risk further damage to public and private property, and result in the public incurring additional expense, including, but not limited to, additional expense due to delay and potential property loss, and therefore competitive bidding of such work would not have produced an advantage for the public;

D. The emergency work ordered at the Neeley Road site is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 15269, subparagraphs (b) and (c), because it involves specific actions necessary to prevent or mitigate an emergency;

E. There is no further need to continue the emergency action.

NOW, THEREFORE the District Board of Directors does hereby resolve as follows:

1. The above recitals are true and correct and hereby declared to be findings of the Board of Directors of Sweetwater Springs Water District.

2. Award of contract for the emergency work ordered at the Neeley Road site described above is exempt from California Public Contract Code competitive bidding requirements pursuant to California Public Contract Code Sections 20168 and 22050 and the established common-law doctrine articulated in the case of *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App. 3d 631.

3. An emergency contract for the water line repairs with Piazza Construction in an amount not to exceed $25,000 is hereby approved.

4. The General Manager is hereby authorized and directed to execute on behalf of the District this contract for the performance of the emergency work described above at contract prices substantially in accordance with the staff cost estimates and the vendor quote specified above, and on terms and conditions that are appropriate for such projects of County water districts, and any such contracts executed prior to the adoption of this resolution are hereby ratified.

5. The emergency action for repair of Neeley Road is hereby declared terminated.

6. This resolution shall become effective immediately.

I hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted and passed by the Board of Directors of the SWEETWATER

SPRINGS WATER DISTRICT, Sonoma County, California, at a meeting held on May 4, 2017, by the following vote.

Director	Aye	No
Sukey Robb-Wilder	_____	_____
Tim Lipinski	_____	_____
Richard Holmer	_____	_____
Gaylord Schaap	_____	_____
Pip Marquez de la Plata	_____	_____

_____
Sukey Robb-Wilder
President of the Board of Directors

_____
Attest: Julie A. Kenny
Clerk of the Board of Directors

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