

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING AN URGENT NECESSITY FOR THE PRESERVATION OF LIFE, HEALTH, PROPERTY; AND AUTHORIZING THE PURCHASING MANAGER OF THE FINANCE DEPARTMENT OR DESIGNEE TO CONTRACT WITH FLOYD JOHNSTON CONSTRUCTION CO. INC., WITHOUT ADVERTISED COMPETITIVE BIDDING FOR THE EMERGENCY REPAIR OF THE NORTH AVENUE SEWER TRUNK MAIN

WHEREAS, the City of Fresno (City) owns and operates Regional Wastewater Treatment Facility (Facility) located at West Jensen Avenue; and

WHEREAS, the existing sewer trunk main in North Avenue transports an average of 11.5 million gallons of wastewater per day to the Facility; and

WHEREAS, this sewer trunk main experienced a localized structural collapse in North Avenue north of the Fresno Colony No. 24 canal and east of the Burlington Northern Santa Fe Railway and the Union Pacific Railroad; and

WHEREAS, an emergency purchase order was issued to Floyd Johnston Construction Co. Inc., to secure stability of the area surrounding this sewer trunk main and to construct a suction vault necessary for a bypass in the event of a full collapse; and

WHEREAS, the invoiced amounts have exceeded the informal bid limit of \$138,000 as codified in the City of Fresno Charter Section 1208; and

WHEREAS, continued operation of the North Avenue sewer trunk main is essential for the transportation of wastewater to the Facility; and

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

WHEREAS, the continued operation of the North Avenue sewer trunk main is essential for the health and safety of the community, as a full collapse may cause sanitary sewer overflow; and

WHEREAS, a full bypass is recommended in order to construct a structural concrete cap to secure the opening over the collapsed section and prevent further soil erosion from entering the sewer trunk main; and

WHEREAS, further delays and proceeding through a formal bid process could have a serious negative impact on the operation of the North Avenue sewer trunk main and the health and safety of the surrounding area and the community at large; and

WHEREAS, staff will return to City Council within 180 days with a recommendation to award a contract for the design and a contract for the construction of a permanent replacement of this section of the North Avenue sewer trunk main.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The foregoing facts constitute an urgent necessity for the preservation of life, health, or property.
2. The requirement of advertising for bids is hereby waived pursuant to Charter Section 1208(a)
3. The Purchasing Manager or designee is authorized to enter into and execute contracts, documents, and instruments providing for the emergency repair and temporary bypass construction of the North Avenue sewer trunk main, at a cost not to exceed \$450,000, subject to prior approval as to form by the City Attorney's Office.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2019.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2019
Mayor Approval/No Return: _____, 2019
Mayor Veto: _____, 2019
Council Override Vote: _____, 2019

YVONNE SPENCE, MMC CRM
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Brandon Collet 6/___/2019
Senior Deputy City Attorney