

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 CITY MANAGER OR DESIGNEE TO ENTER INTO AGREEMENTS WITHOUT ADVERTISED COMPETITIVE BIDDING WITH CHART INTERNATIONAL, INC. FOR EMERGENCY RECONSTRUCTION OF THE COMPRESSED NATURAL GAS FUELING STATION

WHEREAS, the Department of Transportation/Fresno Area Express (FAX) owns and operates a compressed natural gas (CNG) fueling station; and

WHEREAS, the CNG fueling station is critical equipment that provides fueling for transit operations, municipal fleet, waste management, and other private customers; and

WHEREAS, key components have reached their end of life; and

WHEREAS, extreme heat has had a detrimental impact on the CNG equipment; and

WHEREAS, such impact has eroded the capability and safe operation of the CNG fueling station that endangers life, health and property; and

WHEREAS, FAX seeks the emergency repair and expedient delivery of engineering and construction services to reconstruct the CNG fueling station; and

WHEREAS, FAX finds that there exists an unusual and urgent need to procure the product and service without providing for full and open competition as the delay would cause serious injury unless permitted a sole source award; and

WHEREAS, entering into an agreement, without competitive bidding is necessary for the timely performance of the emergency repair work.

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

273654v1

Resolution No. _____

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 City Manager or designee to authorized to negotiate, enter, and execute service agreements, materials purchase agreements, and a construction contract, as necessary, for the emergency reconstruction of the compressed natural gas fueling station, at a cost not to exceed \$3,913,077, subject to prior approval as to form by the City Attorney's Office.
4. The Council finds the Project in the best interest of the City.
5. This resolution shall be effective upon final approval.

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

I, TODD STERMER, 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 _____, 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2024
Mayor Approval/No Return: _____, 2024
Mayor Veto: _____, 2024
Council Override Vote: _____, 2024

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Jennifer Wharton Date
Deputy City Attorney