

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 FOR THE EMERGENCY REPAIR OF THE SOUTH FRUIT AVENUE SEWER TRUNK MAIN

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

WHEREAS, the sewer trunk main in South Fruit Avenue conveys an average of approximately 8 million gallons of wastewater per day to the Facility; and

WHEREAS, the sewer main was inspected and was found to be severely structurally deteriorated with voids beneath the road; and

WHEREAS, the condition of the sewer main was in such a state of deterioration, the City placed a temporary road closure over the area of the largest void to avoid collapse of the road; and

WHEREAS, it is conceivable the structural failure of the sewer main is eminent; and

WHEREAS, an emergency repair of the South Fruit Avenue sewer trunk main is essential for continued conveyance of wastewater to the Facility; and

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

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

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Resolution No.

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

WHEREAS, entering into agreements, without competitive bidding for various services, is necessary for the timely performance of the emergency repair work.

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 is authorized to negotiate, enter and execute service agreements, materials purchase agreements, and a construction contract for the emergency repair of the South Fruit Avenue sewer trunk main, at a cost not to exceed \$4,700,000, 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.

* * * * *

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 M. Wharton Date
Deputy City Attorney