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 COMPETITIVE BIDDING ADVERTISED FOR 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

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Date Adopted: Date Approved: Effective Date:

City Attorney Approval:

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.

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STATE OF CALIFORNIA) COUNTY OF FRESNO) ss. CITY OF FRESNO)		
I, TODD STERMER, City Clerk of resolution was adopted by the Council of on the day of	f the City of Fresno, at a regular	
AYES : NOES : ABSENT : ABSTAIN :		
Mayor Approval: Mayor Approval/No Return: Mayor Veto: Council Override Vote:	, 20 , 20)24)24
	TODD STERMER, CMC City Clerk	
	By: Deputy	Date
APPROVED AS TO FORM: ANDREW JANZ City Attorney		
By:	-	