ROCKLIN
CALIFORNIA

City Council Staff Report

Subject: Ratification of Contracts for the Midas Avenue Emergency Repairs Project

Date: April 11, 2023

Submitted By: Justin Nartker, Director of Public Services

Department: Public Services

Recommendation:

A. Adopt a Resolution of the City Council of the City of Rocklin Ratifying the Engineering & Design Agreement with Water Works Engineers LLC to Proceed with the Emergency Design and Engineering Services Necessary to Repair or Replace the Failed Arch Culvert and Failed Portions of Midas Avenue at the Antelope Creek Crossing.
B. Adopt a Resolution of the City Council of the City of Rocklin Ratifying the Construction Agreement with Glissman Excavating Inc. to Proceed with the Emergency Construction to Repair or Replace the Failed Arch Culvert and Failed Portions of Midas Avenue at the Antelope Creek Crossing.

Background:

On January 24, 2023, the City Council adopted Resolution No. 2023-15 determining that an emergency exists that requires the immediate expenditure of Public Money to Safeguard Life, Health, Property, or Essential Public Services and authorizing the City Manager to take action necessary to repair or replace failed portions of Midas Avenue.

With the recent storm events, the roadway on Midas Avenue at Antelope Creek between 5th Street and Argonaut Avenue and the underlying arch culvert deteriorated and failed, requiring the closure of the roadway and emergency repair. This emergency situation would not permit a delay resulting from competitive solicitation for bids, and immediate action was necessary to respond to the emergency. The roadway failure constitutes an emergency within the meaning of California Public Contract Code section 1102, because it was a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of property or essential public services. Under such circumstances, Public Contract Code section 20168 allowed the City Council to pass a resolution by four-fifths vote, declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property. In addition, Public Contract Code section 22050 allows the City Council by a four-fifths vote, to authorize the repair or replacement of a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for

those purposes, without giving notice for bids to let contracts. Upon adoption of the resolution, the City may expend the sum required in the emergency without requiring competitive bidding.

Two contracts were authorized by the City Manager as follows:

- Water Works Engineers, LLC - to provide design and engineering services in the amount of $100,000.
- Glissman Excavating, Inc. - to provide construction services to replace the existing culvert and repair the roadway in the amount of $562,589 (rounded). Due to the nature of the failure and the exigent circumstances a 50% contingency ($281,445) was established, bringing the authorized amount to $844,034.

In compliance with the Public Contract Code and the Rocklin Municipal Code, reporting on the emergency repairs is being provided to the City Council and resolutions requesting that the City Council ratify the contract(s) (RMC 3.04.090(A)) are recommended for adoption.

Fiscal Impact:

This project is currently funded out of the SB325 Gas Tax Fund (210); however, this storm event was declared a federal emergency and this project is eligible for reimbursement. Staff is working closely with Federal Emergency Management Agency (FEMA) and California Office of Emergency Services (CalOES) personnel on the reimbursement process. Upon approval by FEMA and CalOES, the repair costs incurred will be reimbursed.

ATTACHMENTS:

1. Resolution A - Water Works Engineers, LLC
2. Resolution A Exhibit A - Contract with Water Works Engineers, LLC
3. Resolution B - Glissman Excavating, Inc.
4. Resolution B Exhibit A - Contract with Glissman Excavating, Inc.