

RESOLUTION NO. 2024-106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ESCONDIDO, CALIFORNIA, FINDING THAT AN
EMERGENCY CONTINUES TO REQUIRE THE IMMEDIATE
REPAIR OF THE ESCONDIDO TRUNK SEWER MAIN

WHEREAS, the City Council recognizes that the City's trunk sewer main pipeline previously defined in the three following sections are at risk of imminent, catastrophic failure:

Section 1: Harding Street to Ash Street - paralleling the Escondido Creek; and

Section 2: Beech Street to Grape Day Park - paralleling the Escondido Creek, traversing a short section of North Hickory Street, then continuing in East Pennsylvania Street from North Hickory and extending into Grape Day Park; and

Section 3: Centre City Parkway to Norlak Avenue - traversing through Fire Station #1, traversing a short section of North Quince Street, then continuing in Norlak Avenue; and

WHEREAS, Utilities Staff provided three scopes of work as defined above to three separate contractors to obtain not-to-exceed costs and estimated schedules to complete the necessary emergency repairs with the intent to draft Public Improvement Agreements for execution; and

WHEREAS, proposed costs for the work defined above came in significantly higher than anticipated; and

WHEREAS, Utilities Staff refined and narrowed the scope of work to include the two sections in critical condition, and defined as follows:

Section 1: Ash Street - paralleling the Escondido Creek, from the Firestone Complete Auto Care parking lot to the Walmart Neighborhood Market parking lot; and

Section 2: Beech Street to Grape Day Park - paralleling the Escondido Creek, traversing a short section of North Hickory Street, then continuing in East Pennsylvania Street from North Hickory and extending into Grape Day Park; and

WHEREAS, Section 3 was determined to be in comparatively better condition than both Section 2 and some parts of Section 1; and

WHEREAS, Utilities Staff has made the decision to forego emergency repairs on Section 3 and truncate the emergency repairs associated with Section 1 at this time; and

WHEREAS, repairs to Section 3 and some parts of Section 1 will be replaced as a part of a future CIP project; and

WHEREAS, pursuant to the approval of Resolution No. 2024-86 on June 26, 2024, ratifying Proclamation No. 2024-02; Resolution No. 2024-94 on July 10, 2024; and Resolution No. 2024-103 on July 17, 2024, the City Council previously found that the failing trunk sewer risk constitutes an emergency and found it appropriate for Utilities Staff to proceed to contract services without adopting plans, specifications, working details, or giving notice of bids to award contracts; and

WHEREAS, Staff entered into a Public Improvement Agreement (“Agreement”) with CCL Contracting, Inc., in an amount not to exceed ten million, two hundred forty thousand, six hundred ninety-one dollars (\$10,240,691); and

WHEREAS, Utilities Staff continues to work with J.R. Filanc Construction Company to finalize a separate Public Improvement Agreement for the emergency repairs to Section 1 of the trunk sewer main in most critical condition, as defined above; and

WHEREAS, pursuant to Section 22050 of the Public Contract Code, the City Council must review the emergency action every 14 days, or its next regularly scheduled meeting, and determine by a four-fifths vote there is a need to continue the action; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to continue the emergency action.

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

1. That the above recitations are true.
2. That the City Council finds the failure of the trunk sewer main is a public health and safety emergency; that this emergency will not permit the delay that would result from a competitive bidding process; and that the proposed action and expenditure is still necessary to respond to the emergency requiring immediate repair of the trunk sewer main.