

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*



November 5, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

THROUGH: Sunshine Kelly, Wastewater Superintendent

SUBJECT: Authorize the Emergency Response Agreement for SSO Recovery through Wendt Construction, for the 2024-2025 wet season.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to proceed with the Emergency Response Agreement for SSO Recovery by Wendt Construction, in preparation for the upcoming wet season.

BACKGROUND AND DISCUSSION

The City of Rio Dell has in the past few years experienced an increase in SSO's at the East Painter Street Manhole. State regulators are aware of the earthquake damage that has increased these SSO's at this location. The City is required under our NPDES permit to facilitate the recovery of these SSO's that occur due to increased flows of I&I during major rain events. Contracting with Wendt to respond and recover the SSO will take pressure off the City's staff during major rain events where staff are called away to customer emergencies. Recovering the SSO's will allow the City to stay in good standing with the State regulations, and help to protect the environment.

The open-ended contract based on prevailing hourly wage exceeds the City Manager's authority to approve, and it is requested that the City Council authorize said contract.

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EMERGENCY RESPONSE AGREEMENT SSO RECOVERY

This Emergency Response Agreement (This "Agreement") is made the _____ day of October in the year 2024, by and between the City of Rio Dell, a California public entity (hereinafter referred to as "City"), and Wendt Construction, a California corporation (hereinafter referred to as "Contractor"), to acknowledge the performance that will be requested by the City to mitigate and collect the SSO at the East Painter Street Manhole during a major rain event.

Project Name: SSO Response and Recovery at East Painter Street Manhole

Project Owner and Address: City of Rio Dell, 675 Wildwood Avenue, Rio Dell CA 95562

The contractor's business is a California Corporation.

Contractor's License # 622738

AGREEMENT

Terms:

1. The Contractor is on call to respond to a Sanitary Sewer Overflow (SSO) at the East Painter Street manhole during the wet season, November through April.
2. The Contractor must respond within an hour of being notified of the SSO with a Vactor truck and at least one qualified personnel.
3. The contractor is to recover as much of the SSO as they can during the daylight hours. There will be no recovery after dark.
4. The Contractor will take the recovered SSO from the Vactor and dispose of it at the City's Wastewater Treatment plant where it can be treated.

Compensation:

The City will compensate the Contractor at the end of each SSO based on an hourly rate. The City will compensate at prevailing wages of \$285.00/hr.

Warranties:

The Contractor warrants that the recovery process will be performed in a workmanlike manner and in accordance with applicable laws and regulations.

Governing Law:

This Agreement shall be governed by and construed in accordance with the laws of the State of California.

Entire Agreement:

This Agreement constitutes the entire agreement between the parties and supersedes all prior or contemporaneous communications, representations, or agreements, whether oral or written. This Agreement may be executed in counterparts, and electronically scanned signatures (by DocuSign or other means) shall be deemed to constitute originals.

City:

City of Rio Dell, a public entity
675 Wildwood Ave.
Rio Dell, CA 95562

Contractor:

Wendt Construction, a California corporation
3651 Rohnerville Road
Fortuna, CA 95540

By: _____

Name of Signee: Kyle Knopp

Title: City Manager

Date: _____

By: _____

Name of Signee: _____

Title: _____

Date: _____