

RESOLUTION 2025-###

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) RATIFYING, BY FOUR-FIFTHS VOTE, PRIOR EMERGENCY ACTIONS TAKEN BY THE CITY MANAGER, INCLUDING EXECUTION OF A CONTRACT WITH GOLDEN BAY CONSTRUCTION IN THE AMOUNT OF \$52,360; AND (2) AUTHORIZING, BY FOUR-FIFTHS VOTE, CONTINUATION OF THE EMERGENCY PROCUREMENT ACTIONS UNDERTAKEN BY THE CITY MANAGER, ALL PURSUANT TO PUBLIC CONTRACT CODE SECTION 22050 AND SAN PABLO MUNICIPAL CODE SECTION 3.16.110.D FOR THE STORM DRAIN REPAIR WORK AT 1850 MESA BUENA AVENUE

WHEREAS, City staff responded to a call regarding a sinkhole forming in the backyard of the residence at 1850 Mesa Buena Avenue;

WHEREAS, City staff conducted a field inspection, and Closed-Circuit Television (CCTV) inspection which revealed that the storm drain pipe was damaged near the sinkhole's location;

WHEREAS, during a field visit on March 4, 2025, City staff observed that the sinkhole had increased in size since the prior inspection due to heavy winter storms;

WHEREAS, due to the sinkhole's location directly adjacent to a walkway and backdoor of a single-family home, City staff recommended taking emergency action to excavate and replace the damaged storm pipe to prevent additional property damage;

WHEREAS, due to the need for an immediate response to repair the pipe and fix the sinkhole, pursuant to Public Contract Code Section 22050 and San Pablo Municipal Code Section 3.16.110.D, the City Manager authorized staff to procure equipment, supplies, and services necessary to safeguard the property at 1850 Mesa Buena Avenue and, as necessary, other adjacent properties, without competitive bidding insofar as compliance with the normal bidding process will cause undue delay;

WHEREAS, City staff contacted two companies with existing City contracts that can perform emergency storm drain repair work and received quotes to perform an emergency repair;

WHEREAS, Golden Bay Construction provided the lower bid of \$52,360;

WHEREAS, on March 27, 2025, the City obtained right-of-entry agreements with the property owner at 1850 Mesa Buena Avenue and the adjacent property owner at 1860 Mesa Buena Avenue;

WHEREAS, on April 8, 2025, City staff executed a contract with contractor Golden Bay Construction, Inc. The contractor will begin construction as soon as the material is procured; and

WHEREAS, the 1850 Mesa Buena Avenue emergency repair project was assessed and determined to be categorically exempt under CEQA section 15301(b), which covers the operation, repair, and maintenance of Class 1 existing publicly owned utility facilities. The CEQA notice of exemption (NOE) was filed at the Contra Costa County Clerk's office.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo hereby ratifies by four-fifths vote, the prior emergency actions taken by the City Manager for the storm drain repair work at 1850 Mesa Buena Avenue, including the execution of a contract with Golden Bay Construction in the amount of \$52,360;

BE IT FURTHER RESOLVED that the City Council finds by four-fifths vote, that the need for immediate repairs did not allow for any delay resulting from a competitive solicitation for bids, and that prompt action, including the need to expend necessary funds required for such repairs without competitive bidding, was necessary to respond the situation described herein;

BE IT FURTHER RESOLVED that the City Council authorizes by four-fifths vote, a continuation of the emergency procurement actions undertaken by the City Manager, all pursuant to Public Contract Code Section 22050 and San Pablo Municipal Code Section 3.16.110.a for the storm drain repair work at 1850 Mesa Buena Avenue; and

BE IT FURTHER RESOLVED that the City Manager, or designated staff, shall report any action taken pursuant to this Resolution to the City Council at its next regularly scheduled meeting, so that the City Council may review such actions as required by Public Contract Code Section 22050.

ADOPTED this 21st day of April, 2025, by the following votes:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Grant, City Clerk

Arturo Cruz, Mayor