



## Memo

To: Matt Rodriguez, City Manager  
From: Christian Larreynaga, Engineering Aide  
Date: March 24, 2025  
Regarding: Authority to Contract for Emergency Storm Drain Repair Work at 1850 Mesa Buena Avenue

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### Project Background/Purpose

On October 22, 2024, City staff responded to a call regarding a sinkhole forming in the backyard of the residence at 1850 Mesa Buena Avenue. City staff conducted a field inspection and determined the necessity of a CCTV inspection of the adjacent storm drain that runs through the property. City staff contacted multiple contractors to request quotes for a CCTV Inspection. The City proceeded with a quote from Subtronic Corporation, and the CCTV inspection was conducted on January 21, 2025. The inspection footage revealed that the storm drain was damaged near the sinkhole's location. The existing storm drainage system dates back to the subdivision's construction, and the condition of the pipe has deteriorated over time.

In February 2024, the City began contacting contractors to repair the pipe using a trenchless method. During a field visit on March 4, 2025, City staff observed that the sinkhole had increased in size since the prior inspection. City staff believes that the heavy winter storms have suddenly caused the erosion to occur at a more rapid pace than previously anticipated. Due to the sinkhole's location directly adjacent to a walkway and backdoor of a single-family home, City staff recommends taking emergency action to excavate and replace the damaged storm pipe. Staff believes that the pipe needs to be repaired as soon as possible before it causes potential additional property damage. The City has two existing contracts with construction companies that can perform emergency storm drain repair work, Kerex Engineering and Golden Bay Construction. City staff contacted both companies and received quotes to perform an emergency repair. Both quotes are summarized below.

Company Name	Price*	Expected Start Time	Days of Work
Kerex Engineering	\$75,000	Immediately after contract execution	1-2 Weeks
Golden Bay Construction	\$53,160	Immediately after contract execution	1 Week

\*Prices include contingency for potential property pavement restoration

Golden Bay Construction provided the lower bid and is currently working on City Project 0304 - Full Trash Capture Device at Willow and Ridge, a project focused on improving

stormwater infrastructure. Golden Bay Construction is available to mobilize and immediately respond to perform the emergency repair. Golden Bay Construction has proven its reliability and ability to deliver high-quality work. The Public Works Department has already identified funding that can be used for this emergency repair work.

### **Recommendation and Price Evaluation**


Due to the need for an immediate response to repair the pipe and fix the sinkhole, staff is requesting that the City Manager authorize 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. This action is authorized under Public Contract Code Section 22050 and San Pablo Municipal Code Section 3.16.110.D. See more detailed information below:

- Public Contract Code section 22050 provides the ability for agencies to forego the public bidding process in cases of a "sudden, unexpected occurrence that poses a clear and imminent danger requiring immediate action to prevent or mitigate loss or impairment of life, health, property or essential services." (definition from Public Contract Code Section 1102). Staff has determined that this incident fits that description.
- San Pablo Municipal Code Section 3.16.110.D. reads as follows:
  - Emergency. When an emergency requires the immediate procurement of supplies, equipment or services, such procurements are exempted from the formal and informal bid requirements of this chapter. For the purposes of this section, an emergency shall be deemed to exist only if:
    1. There is a great public disaster; or
    2. There is an immediate need to prepare for national or local defense; or
    3. There is a breakdown in machinery or an essential service which requires the immediate procurement of supplies and equipment to protect the public health, welfare or safety; or
    4. An essential departmental operation affecting the public health, welfare or safety would be greatly hampered if the prescribed purchase would cause an undue delay in the procurement of the needed item; or
    5. The city manager determines that an emergency purchase is necessary to ensure operational efficiency and/or fiscal responsibility for the city.
- In such an emergency and notwithstanding SPMC 3.16.110.A, **the City Manager is delegated the authority to make a purchase or enter into a contract in an amount up to and including \$100,000 which shall be reported to the City Council at its next regularly scheduled meeting.**

- Per Section 22050, **staff is required to report the progress of the emergency action at the next regular City Council meeting (no later than 14 days after the initial authorization), and at every meeting subsequent, until the reason for such ongoing emergency action is resolved.**

Based on the foregoing, and to mitigate additional damage, staff recommends that the City Manager authorize and execute a contract with Golden Bay Construction for the emergency repair of the storm drain at 1850 Mesa Buena, such repair to also include restoration of any damage to the property caused by the City's need to access the repair area.

**I hereby authorize Public Works staff to procure any equipment, supplies, and services necessary to provide emergency repairs to the storm drain and to safeguard the property at 1850 Mesa Buena, including other adjacent properties, without competitive bidding insofar as compliance with the normal bidding process will cause undue delay. Staff's procurement of any equipment, supplies, and services shall be comply with San Pablo Municipal Code Section 3.16.110.A and with Public Contract Code Section 22050.**



**Matt Rodriguez**  
**City Manager**