

STAFF REPORT



ITEM NO. **9**

CITY OF OCEANSIDE

DATE: March 15, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Water Utilities Department

SUBJECT: **ADOPT A RESOLUTION DECLARING AN EMERGENCY TO REPAIR WATER DAMAGE TO LAKE BOULEVARD AND APPROVING AN EXPENDITURE OF \$93,972.50 TO JOE'S PAVING COMPANY, INC. FOR THE EMERGENCY REPAIR**

SYNOPSIS

Staff recommends that the City Council adopt a resolution (Exhibit A) declaring an emergency to repair water damage to Lake Boulevard, approving an expenditure in the amount of \$93,972.50 to Joe's Paving Company, Inc. of Valley Center for the emergency repair, and authorizing the Financial Services Director, or designee, to release the funds to pay the invoice.

BACKGROUND

On February 3, 2006, a 24-inch water main in Lake Boulevard ruptured. The pipe was over 20 years old and buried 9 feet below Lake Boulevard. The water from the pipeline break undermined Lake Boulevard and two lanes in the road collapsed near the intersection of Waverly. All four lanes of Lake Boulevard between Waverly and Southridge were shut down from February 3 to February 7, 2006 in the interest of public safety.

ANALYSIS

After the Water Utilities Department repaired the broken water line, a contractor to remove and replace 15,250 square feet of asphalt in Lake Boulevard was needed. There was insufficient time for staff to obtain bids based upon the critical and emergency nature of the work. Joe's Paving Company was available to perform the repair to the street immediately, so they were retained to do the work on an emergency basis. The repairs were contracted on a time and material basis and the expenditures are documented in the invoice.

FISCAL IMPACT

In the adopted budget for fiscal year 2005-2006, City Council approved an appropriation of \$1,048,121 in the Miscellaneous Water Projects capital improvement budget (712.858240). There are budgeted funds available for this emergency repair.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The City Council may, by 4/5 vote, procure the necessary services, equipment and supplies to repair or replace a public facility, without a competitive solicitation of bids, in the case of an emergency. The sudden unexpected rupture of the water line undermining Lake Boulevard is such an emergency requiring immediate action to prevent or mitigate property damage or loss of public services.

RECOMMENDATIONS

Staff recommends that the City Council adopt a resolution declaring an emergency to repair water damage to Lake Boulevard, approving an expenditure in the amount of \$93,972.50 to Joe's Paving Company, Inc. of Valley Center for the emergency repair, and authorizing the Financial Services Director, or designee, to release the funds to pay the invoice.

PREPARED BY:



Greg Blakely
Administration Manager

SUBMITTED BY:



Steven R. Jepsen
City Manager

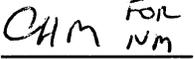
REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager _____

 Barry E. Martin, Water Utilities Director



Nita McKay, Financial Services Director



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OCEANSIDE DECLARING AN EMERGENCY EXPENDITURE
OF FUNDS TO REPAIR WATER DAMAGE IN LAKE
BOULEVARD

WHEREAS, on February 3, 2006, a 24-inch water line in Lake Boulevard suddenly and unexpectedly ruptured;

WHEREAS, two lanes in Lake Boulevard collapsed because of the ruptured water line and four traffic lanes had to be closed from February 3 to February 8, 2006 in the interest of public safety;

WHEREAS, there was insufficient time for City of Oceanside staff to obtain bids to remove and replace the asphalt based upon the critical and emergency nature of the work;

WHEREAS, a contractor was retained to perform the work based on immediate availability; and

WHEREAS, the contractor removed and replaced 15,250 square feet of asphalt on a time and material basis for the amount of \$93,972.50.

NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as follows:

SECTION 1. The rupture of the 24-inch water line in Lake Boulevard and the undermining of Lake Boulevard was an emergency posing a clear and imminent danger and requiring immediate action to prevent or mitigate the loss or impairment of property or essential public services.

SECTION 2. The emergency did not permit a delay resulting from a competitive solicitation for bids, and the action to repair the pipeline and the street was necessary to respond to the emergency.

SECTION 3. The public interest and necessity demanded the immediate repair of the water line and the street to safeguard life, health or property.

1 SECTION 4: The expenditure in the amount of \$93,972.50 to Joe's Paving Company,
2 Inc. of Valley California, California for the emergency repair of Lake Boulevard is approved.

3 SECTION 5. The Finance Director or her designee is authorized to release the funds to
4 pay the \$93,972.50 invoice.

5 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this
6 day of _____, 2006, by the following vote:

7
8 AYES:
9 NAYES:
10 ABSENT:
11 ABSTAIN:

MAYOR, CITY OF OCEANSIDE

12 ATTEST:
13
14 _____
CITY CLERK

15 APPROVED AS TO FORM:
16 _____
17 CITY ATTORNEY

18 G:\Administration\Council - Commission\Staff Reports\Staff Reports - 2004\Resolutions & Ordinances\6-16-04 Reso declaring Lake Blvd emergency .doc