

RESOLUTION No. 2012-1963

A RESOLUTION AUTHORIZING CONTRACTING WITHOUT GOING THROUGH FORMAL BIDDING PURSUANT TO SECTION 22050 PURSUANT TO PUBLIC CONTRACTS CODE SECTION 20806 FINDING THAT AN EMERGENCY EXISTS ON DESCANSO PUMP STATION FORCE MAIN IN SAN RAFAEL

LAS GALLINAS VALLEY SANITARY DISTRICT

SECTION 1: The Board of Directors does hereby declare:

- A. Pursuant to Public Contracts Code (PCC) Section 20806, the Board of Directors may, upon a four-fifths vote, declare that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property because of an emergency.
- B. In accordance with PCC Sections 20806 and 22050, the Board of Directors may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contract.
- C. Descanso Pump Station Force Main in San Rafael consists of approximately 220 lineal feet of 12-inch diameter Concrete Cylinder Pipe (CCP) constructed in 1965.

On October 1, 2012 an exposed section of the pipe located in a concrete vault developed a leak causing raw sewage to overflow out of the vault and spill into the surrounding area. The force main was temporarily fitted with a stainless steel repair band, and a sump pump is installed in the vault to pump accumulated sewage back into the pump station wet well in case the repair band fails. However, recent inspections by licensed professional engineer Michael Cortez (District Engineer) indicate that there is a significant potential for failure of the force main due to severe hydrogen sulfide corrosion in the remaining section of CCP force main.

There still exists a significant likelihood that the remaining section will fail in the same manner during the rainy season when the pipe will be subjected to higher water pressures from increased rainfall and inflow and infiltration. Records show that significant storms during the months of October are likely in San Rafael this winter.

- D. The entire length of the CCP segment of the Descanso Pump Station Force Main is currently under continuous observation by District staff; however, a failure more significant than the last one will not be repairable with a repair band. Localized point repair is not recommended due the observed condition of the existing force main, which may only lead to another failure.
- E. It is the responsibility of the District to maintain force mains and the treatment of sewage and to prevent failures of said force mains to prevent sewage spills which will endanger the health, safety and welfare of the public, the surrounding lands and waterways and Bay and the flora and fauna living on those lands and waterways, all of which would suffer from any sewage spills cause by a break in the existing force mains which have deteriorated to such a state to cause the initial break and spill.

F. Based upon the entirety of the evidence including, without limitation, the written and verbal staff report, the force main break at the Descanso Pump Station Force Main constitutes an imminent danger to public health and safety. This threat requires immediate action and the expenditure of public money to safeguard the life, health and property of residents of Hacienda Way and Descanso Way, San Rafael, and the surrounding lands, waterways and Bay.

G. Under such emergency conditions, the Board of Directors finds that the delay resulting from the formal bidding process would imperil essential public services.

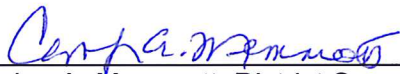
SECTION 2: In light of the emergency described above, the Board of Directors declares and finds that the proposed repair to the Descanso Pump Station Force Main is an "emergency" repair and therefore directs the General Manager to take all steps necessary to protect public health, safety and welfare including, without limitation, awarding contracts in accordance with PCC Section 22050.

SECTION 3: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

SECTION 4: The Board of Directors will review this emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the work described above is completed. The Board must determine by a four-fifths vote that there is a need to continue the work at each meeting.

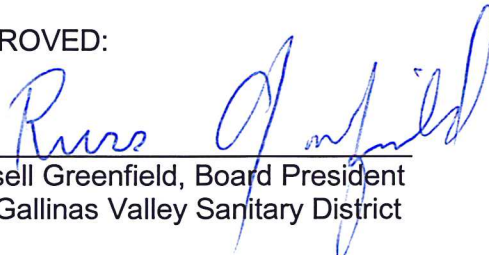
I hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly passed and adopted by the Sanitary Board of the Las Gallinas Valley Sanitary District, Marin County, California, at a meeting thereof held on October 11th, 2012, by the following vote of the members thereof:

AYES, and in favor thereof, Members: *Clark, Greenfield, Hoder, Murray, Schrieberman*
NOES, Members: *None*
ABSENT, Members: *None*
ABSTAIN, Members: *None*



Carolyn A. Memmott, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:



Russell Greenfield, Board President
Las Gallinas Valley Sanitary District

(seal)

