

RESOLUTION NO. 2834-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR DECLARING THAT THE SHILOH ROAD STORM DRAIN CAVITY CONSTITUTES AN EMERGENCY AND AUTHORIZING THE TOWN MANAGER AND TOWN ENGINEER TO PROCURE THE NECESSARY EQUIPMENT, SERVICES AND SUPPLIES WITHOUT GIVING NOTICE FOR BIDS TO AWARD CONTRACTS TO REPAIR AND/OR REPLACE DETERIORATED SECTIONS OF THE STORM DRAIN

WHEREAS, a hole in the pavement in Shiloh road approximately 150 feet east of Old Redwood Highway suddenly and unexpectedly developed revealing a large cavity under the roadway; and

WHEREAS, a preliminary investigation as to the cause of the large cavity has found extensive deterioration of the storm drain underneath the cavity and extending for significant portions of the storm drain from Old Redwood Highway to Gridley Road and is the likely cause of the cavity; and

WHEREAS, the cavity poses an imminent danger to essential public services by endangering traffic on Shiloh Road and potentially causing blockages of the storm drain leading to flooding in the upcoming wet season; and

WHEREAS, immediate action is necessary to prevent loss of the essential public service of transportation and storm drainage and to ensure public safety; and

WHEREAS, repair and/or replacement of the Shiloh Road storm drain will not permit a delay resulting from a competitive solicitation for bids; and

WHEREAS, the cavity and deteriorated storm drain in Shiloh Road therefore has created a situation that meets the definition of an emergency under California Public Contract Code; and

WHEREAS, California Public Contract Code allows for public agencies, in event of an emergency, to procure the necessary equipment, services, and supplies for repair of a public facility, without giving notice for bids to award contracts.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor delegates authority to the Town Manager and Town Engineer to order any action required by the emergency, and to procure the necessary equipment, services, and supplies for repair and/or replacement of the Shiloh Road Storm Drain, without giving notice for bids to award contracts.

BE IT FURTHER RESOLVED that the Town Council authorizes the Administrative Services Director to pay all proper claims for the performance of said services.

PASSED, APPROVED AND ADOPTED this 7th day of September 2011 by the following vote:

AYES: COUNCILMEMBERS GOBLE, SALMON, SCHOLAR AND
VICE MAYOR FUDGE

NOES: NONE


ABSTAIN: NONE

ABSENT: MAYOR ALLEN

ATTEST:



DEBORA FUDGE, VICE MAYOR



MARIA DE LA O, TOWN CLERK