



Legislation Details (With Text)

File #: 2020-1350
Type: Consent Calendar Item **Status:** Agenda Ready
File created: 12/24/2020 **In control:** Sonoma County Water Agency
On agenda: 1/5/2021 **Final action:**
Title: Resolution Making Findings of an Emergency Need to Perform Work to Stabilize Dangerous Conditions Resulting from a Manhole Collapse on Highway 116 in Guerneville within the Russian River County Sanitation District Wastewater Collection System.
Sponsors: Russian River County Sanitation District
Indexes:
Attachments: 1. Summary Report, 2. Resolution

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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To: The Board of Directors of Russian River County Sanitation District
Department or Agency Name(s): Russian River County Sanitation District
Staff Name and Phone Number: Grant Davis 547-1911
Vote Requirement: 4/5th
Supervisory District(s): Fifth

Title:
Resolution Making Findings of an Emergency Need to Perform Work to Stabilize Dangerous Conditions Resulting from a Manhole Collapse on Highway 116 in Guerneville within the Russian River County Sanitation District Wastewater Collection System.

Recommended Actions:

Board of Directors Adopt a Resolution:

- A) Making findings that there is an emergency need to stabilize dangerous conditions resulting from a manhole collapse within the Russian River County Sanitation District wastewater collection system and resulting sinkhole on River Road (Highway 116) in Guerneville; and
- B) Suspending the requirements for competitive bidding; and
- C) Authorizing the General Manager of Sonoma County Water Agency on behalf of the Russian River County Sanitation District to execute contracts, not to exceed \$750,000 per contract, necessary to stabilize dangerous conditions resulting from a manhole collapse occurring in the collection system; and
- D) Making an exemption determination under the California Environmental Quality Act; and
- E) Ratifying any emergency contracts entered into by the General Manager of the Sonoma County Water Agency on behalf of the Russian River County Sanitation District necessary to stabilize the dangerous conditions.

(4/5th Vote Required)(Fifth District)

Executive Summary:

This item requests the Board of Directors for the Russian River County Sanitation District ("District") adopt a

resolution making findings of an emergency need to repair and/or replace a manhole in the District's wastewater collection system that has collapsed resulting in a sinkhole on River Road (Highway 116) in Guerneville; suspending the requirements for competitive bidding; authorizing the General Manager of the Sonoma County Water Agency ("Sonoma Water") to execute contracts necessary on behalf of the District to repair/replace the manhole and fix the sinkhole; making an exemption determination under the California Environmental Quality Act ("CEQA"); and ratifying emergency contracts entered into by the General Manager of Sonoma Water related to these issues. If left unrepaired, the manhole and related wastewater collection system could fail, resulting in extensive road loss, reduction in wastewater services, sewer system overflows and regulatory enforcement and significantly higher repair costs

Pursuant to authority delegated in Resolution # 06-0649, Sonoma Water's General Manager has authority to enter into contracts on behalf of the District not-to-exceed \$750,000 for emergency repairs. The estimated cost of the construction contract is \$400,000, but due to the uncertain conditions in the field, the District is requesting the Board confirm the existing delegated authority to Sonoma Water's General Manager for up to \$750,000 per contract to stabilize dangerous conditions.

Discussion:

On Wednesday, December 23, 2020, the General Manager of Sonoma Water acting on behalf of the District, pursuant to authority delegated in Resolution # 06-0649, declared the existence of an emergency for the District due to a manhole collapse within its wastewater collection system. As a result of the collapsed manhole owned by the District, and resulting sinkhole, dangerous conditions arose at the manhole on River Road, that were sudden and unexpected, and posed a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

The manhole, which is near the District's main lift station, had a hole in its wall that is believed to have resulted from corrosion of the 40-year old manhole. This hole is located 3-4 feet below the surface of the ground. Soil falling through the hole from outside the manhole created the sinkhole. The incident did not result in a sewage spill.

Wastewater has continued to flow into and out of the nearby lift station, which pumps wastewater to the District's treatment plant, and there was no interruption of service to sanitation customers. The 24-inch diameter sinkhole, located on the right edge of the eastbound lane of River Road (Highway 116), prompted Caltrans and the California Highway Patrol to limit traffic temporarily to one lane in the 17000 block of River Road, near the intersection with Riverside Drive. With Caltrans approval, the District installed a temporary steel plate Tuesday evening that will remain in place until final repairs are made. On December 23 and 24, 2020, the District and a contractor executed further temporary measures to stabilize the manhole and surrounding area.

The District (staffed by Sonoma Water) does not have the capacity and/or expertise to deliver the necessary repairs and would normally issue a notice inviting bids to hire a contractor to perform this work. The normal contracting process takes three months from a minimum advertising period through assessing bids and awarding and executing contracts. This delay would mean that it would not be possible to perform necessary measures to protect public health, public safety, essential public services, and property in a timely manner.

Therefore, pursuant to the authority delegated to the General Manager of Sonoma Water in Resolution No. 06-0649 and California Public Contract Code section 22050, the General Manager of Sonoma Water declared

that the District had suffered damage, and emergency conditions exist which necessitate immediate action to protect public health, public safety, essential public services, and property, thus allowing the District to contract for the necessary repair work without bidding. District staff met with a contractor Wednesday, December 23, 2020, and began drafting an agreement for the repair work. The manhole was temporarily stabilized as of December 24, 2020, and staff have begun preparations for a repair that will stabilize the site in a manner that protects Highway 116 and the public. Repair work is planned to begin immediately after an agreement is in place. The District requests that the Board ratify this declaration and provide authority to continue with the needed repairs.

Public Contract Code section 22050 authorizes the Sonoma Water, on behalf of the District, to enter into contracts for public projects as may be necessary to mitigate emergency conditions without giving notice for bids. Additionally, pursuant to Public Contract Code Section 22035, this emergency work may proceed without adopting plans or specifications. If approved, this item will be brought back to the Board every 14 days thereafter to determine if there is a need to continue the action without competitive bidding. The Board is obligated to terminate the waiver of the bid process at the earliest possible date that conditions warrant so that the remainder of the work may be completed under the bid process.

Staff recommend making a finding in the resolution that the requirements of CEQA do not apply because emergency work is exempt. The emergency described above came about in a “sudden and unexpected manner” and poses an “imminent danger, demanding immediate action to prevent or mitigate” loss of life and property, as those phrases are used in the definition of the word “emergency” contained in section 15359 of the California Administrative Code, and as the word “emergency” is used in sections 210801(b)(2) and (b) (4) of the Public Resources Code; however the General Manager shall, to the extent he deems feasible in his sole discretion, take steps to mitigate any apparent and significant environmental impacts of the work authorized herein.

Finally, the General Manager of Sonoma Water has emergency contracting authority pursuant to Resolution # 06-0649. Staff recommends ratifying any contracts for the removal/stabilization of dangerous conditions, or related emergency issues described herein, entered into by General Manager on behalf of the District, subsequent to the drafting this report until the date of this Board action.

Prior Board Actions:

FISCAL SUMMARY

| Expenditures | | FY 20-21 Projected | FY 21-22 Projected |
|------------------------------------|--|-------------------------------|-------------------------------|
| Budgeted Expenses | | 400,000 | |
| Additional Appropriation Requested | | | |
| Total Expenditures | | 400,000 | |
| Funding Sources | | | |
| General Fund/WA GF | | | |

| | | | |
|----------------------|--|----------------|--|
| State/Federal | | | |
| Fees/Other | | 400,000 | |
| Use of Fund Balance | | | |
| Contingencies | | | |
| Total Sources | | 400,000 | |

Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$400,000 is available from FY 2020/2021 appropriations for the Russian River County Sanitation District Operations Fund. Appropriations intended for transfer to the Construction fund will be used for this emergency repair work; construction award for the Russian River County Sanitation District Treatment Plant Seismic Retrofit of Secondary Clarifiers contract award was below budget. No additional appropriation required.

| Staffing Impacts: | | | |
|---------------------------------|--|-------------------------------|-------------------------------|
| Position Title (Payroll) | Monthly Salary Range (A - I Step) | Additions (number) | Deletions (number) |
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Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Attachment A: Resolution Suspending Competitive Bidding Due to Local Emergency

Related Items "On File" with the Clerk of the Board:

None