

**RESOLUTION NO. 18-8587**

**A RESOLUTION OF THE CITY OF SANTA CLARA,  
CALIFORNIA AUTHORIZING THE USE OF CITY WATER  
FORCES PURSUANT TO CHARTER SECTION 1310**

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, the City of Santa Clara's Charter section 1310 requires all contracts involving an expenditure of over \$1,000 for public works to be let to the lowest responsible bidder;

**WHEREAS**, Charter section 1310 permits the City to use its own employees if the City Council determines that the public works may be done better or more economically by the City's own employees, and, upon such determination, the City may proceed to have the public works done without further observance of Charter section 1310;

**WHEREAS**, the City's Water Utility desires to perform certain public works, including the installation of water services, as set forth in the Report to Council dated August 21, 2018, by its own employees;

**WHEREAS**, the City's Water and Sewer Utilities has in-house knowledge and trained personnel operating and maintaining the water system that can be leveraged to complete the limited size and scope of this work more economically than by outside contractors; and,

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS  
FOLLOWS:**

1. The City Council of the City of Santa Clara does hereby declare and determine that the public works set forth in the August 21, 2018 Report to Council, attached hereto and incorporated by this reference, may be performed better or more economically by the City with its own employees.

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2. Effective date. This resolution shall become effective immediately.


I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 21<sup>st</sup> DAY OF AUGUST, 2018, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:   
for JENNIFER YAMAGUMA  
ACTING CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference: August 21, 2018 Report to Council.



Agenda Report

18-992

Agenda Date: 8/21/2018

**REPORT TO COUNCIL**

**SUBJECT**

Action on a Resolution for the Use of City Water Forces at Two Park Locations

**BACKGROUND**

Charter Section 1310 titled Contracts on Public Works states in part, "that every contract involving an expenditure of more than one thousand dollars (\$1,000.00) for the construction or improvement (excluding maintenance and repair) of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds shall be let to the lowest responsible bidder." The section further states that "the City Council may declare and determine that, in its opinion, the work in question may be performed better or more economically by the City with its own employees, and after the adoption of a resolution to this effect by at least four affirmative votes, it may proceed to have said work done in the manner stated, without further observance of the provisions of this section."

**DISCUSSION**

Staff believes that the work described below would be better performed with City Forces to complete the limited size and scope of work outline below. The Water Utility has in-house knowledge and trained personnel operating and maintaining water services that can be leveraged to more economically perform this work. Bidding out the work separately and contracting with a private entity would delay the construction projects. Therefore, staff recommends that the City Council find that City Forces can best perform the following water utility services and approve the use of City Forces.

Location(s):	Machado Park at 3360 Cabrillo Avenue, and Bowers Park at 2582 Cabrillo Avenue
Type of Service:	Provide new installation and upgrade services for new public water improvements.
Description of Work:	Upgrade existing four 2" water services, installation of two new 2" water services and abandonment of existing one 2" water service.
Estimated Cost:	\$ 53,814.52
Job Number:	592-1423-80300-7006-30571

**ENVIRONMENTAL REVIEW**

The actions being considered are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15302(c) (Class 2 - Replacement or Reconstruction), because they involve the replacement or reconstruction of existing utility systems and/or facilities involving negligible expansion of capacity, and 15303(d) (Class 3 - New Construction or Conversion of Small Structures), because they involve the construction of new water utility extensions.

**FISCAL IMPACT**

The funds to support the staff time for the work detailed in this report are budgeted in the Fiscal Year 2018/19 Adopted Budget.

**COORDINATION**

This report has been coordinated with the Finance Department, City Attorney's Office, Parks and Recreation Department and Department of Public Works.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Adopt a Resolution approving the use of City Water Forces for the upgrade of existing water services and installation of new water services at Machado Park and Bowers Park.

Reviewed by: Gary Welling, Director, Water and Sewer Utilities

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Use of City Water Forces Resolution