

**RESOLUTION NO. 22-9136**

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,  
AUTHORIZING THE USE OF CITY ELECTRIC 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 the construction or improvement (excluding maintenance and repair) of a public works project to be let to the lowest responsible bidder;

**WHEREAS**, Charter section 1310 permits the City to use its own employees if the City Council, by motion passed by at least four affirmative votes, 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 project completed without further observance of Charter section 1310;

**WHEREAS**, the City's Electric Department desires to perform certain public works, as set forth in the Report to Council, dated August 16, 2022, by its own employees; and,

**WHEREAS**, the City Council has declared and determined that the work in question may be performed better or more economically by the City with its own employees.

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

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1. The City Council of the City of Santa Clara does hereby declare and determine that the public works set forth in the 22-985 Report to Council, attached hereto and incorporated by this reference, may be performed better or more economically by the City with its own employees.

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

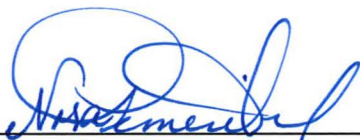
I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16TH DAY OF AUGUST 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Becker, Chahal, Hardy, Jain, Watanabe, and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: Park

ABSTAINED: COUNCILORS: None

ATTEST:   
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NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:  
1. August 16, 2022, Report to Council #22-985



# City of Santa Clara

1500 Warburton Avenue  
Santa Clara, CA 95050  
santaclaraca.gov  
@SantaClaraCity

## Agenda Report

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22-985

Agenda Date: 8/16/2022

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### REPORT TO COUNCIL

#### SUBJECT

Action on a Resolution Authorizing the Use of City Electric Forces for New Dark Fiber Installations at Various Locations

#### COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

#### 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) 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."

In 2014, the Electric Department developed a position called Fiber Splicing Technician as an in-house position to primarily perform maintenance and repairs to meet the fiber performance standards of then existing fiber customers that includes both City departments as well as commercial lease customers. Fiber Splicing Technician activities include basic splicing and distribution changes to fiber optic cables. The technician can also perform duties such as pulling, laying, aligning and positioning fiber optic equipment to prepare for a new connection to the fiber network. Fiber Splicing Technicians perform fusion splicing at building entrances and in maintenance spaces. At this time, SVP employs two Fiber Splicing Technicians.

#### DISCUSSION

Currently, the SVP Fiber Enterprise serves SVP, other City department functions, and various commercial lease customers. As the work is specialized, the position of Fiber Splicer Technician performs a variety of activities from maintenance and repair to new or re-spliced interconnections to the SVP Fiber Enterprise. Each interconnection can be unique involving different hours of labor depending on the number of fibers required to be spliced and the particular location within the network. Technician time is tracked hourly and not on a per fiber basis.

Large or extensive projects involving extending fiber cable being laid along new paths or great distances or adding conduit or related infrastructure are done using a previously bid unit price Public Works contract with a private construction contractor. SVP spends up to \$1 million per year on this public works contract for new Fiber network construction and certain maintenance and repair activities.

Staff believes that the Fiber Splicer Technician work that may be required in new construction projects is best and most efficiently performed with City forces based upon the following factors: (1) the work is limited in size and scope; (2) City forces have knowledge and training in operating and maintaining and repairing the fiber optic system that can be leveraged to more economically perform this work; and (3) bidding out the work and contracting with a private entity would not likely result in a lower overall cost or time savings. Therefore, staff recommends that the City Council make a finding that City forces can better perform the Fiber Splicing and related equipment installation, splicing and connections to the existing SVP Fiber infrastructure and approve the use of City forces.

Estimate Number: FWM#1503  
 Location: Gianera Substation to Donald Von Raesfeld Power Plant  
 Description of Work: Splice, terminate, and test fibers from Gianera Substation to Donald Von Raesfeld Power Plant  
 Estimated Cost: \$10,381  
 Appropriation: Electric Utility Capital Fund (591) Project 2434 - Replace Balance of Plant Control System (DCS)  
 Source of Revenue: Customer Service Charges

### **ENVIRONMENTAL REVIEW**

Staff recommends that the City Council determine that 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 the proposed work involves 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 the proposed work involves the construction of new utility extensions.

### **FISCAL IMPACT**

The funds to support the staff time for work performed by SVP and related construction materials for the work detailed in this report, totaling \$10,381, are included in the Fiscal Year 2022/2023 Capital Budget, Replacement Balance of Plant Control System (DCS) project in the Electric Utility Capital Fund. All referenced work will be performed with City Electric Forces (SVP staff). Some work associated with encroachment permits may be performed by the Department of Public Works (DPW). DPW costs are recovered through payment of permit fees.

### **COORDINATION**

This report has been coordinated with the Finance Department and City Attorney's Office.

### **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 report to Council 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**

Determine the proposed actions are exempt from CEQA and adopt a Resolution authorizing the use

of City Electric Forces for work detailed in this report located at Gianera Substation to Donald Von Raesfeld Power Plant.

Reviewed by: Manuel Pineda, Chief Electric Utility Officer

Approved by: Rajeev Batra, City Manager

**ATTACHMENTS**

1. Resolution - Use of City Electric Forces