

RESOLUTION NO. 23-9193

**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 of Santa Clara (“City” or “City of Santa Clara”) 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 February 21, 2023, by its own employees; and,

WHEREAS, the City’s Electric Department has presented evidence supporting 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:

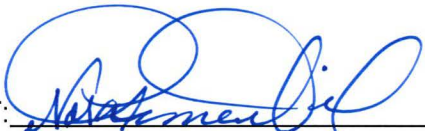
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1. The City Council of the City of Santa Clara does hereby declare and determine that the public works project set forth in the 23-158 Report to Council, attached hereto and incorporated by this reference, may be performed better or more economically 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 21ST DAY OF FEBRUARY, 2023, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, and Watanabe
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	Mayor Gillmor
ABSTAINED:	COUNCILORS:	None

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

Attachments incorporated by reference:

1. February 21, 2023, Report to Council #23-158



Agenda Report

23-158

Agenda Date: 2/21/2023

REPORT TO COUNCIL

SUBJECT

Action on a Resolution Authorizing the Use of City Electric Forces 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.”

DISCUSSION

Staff believes that the work described below 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 the electric 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 installation of the following electric facilities and approve the use of City forces.

Estimate Number: 37848
 Location: Scott Boulevard and Harrison Street
 Type of Service: New Business
 Description of Work: Remove ± 130' underground low voltage wire. Install 1 streetlight and luminaire, 5 underground low voltage connectors, ± 65' underground low voltage wire, 1-200 A 120/240 meter.
 Estimated Cost: \$3,023
 Appropriation: Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
 Source of Revenue: Customer/Developer Contribution

Estimate Number: 35957
 Location: 3402 El Camino Real

Type of Service:	New Business
Description of Work:	Removal of a padmount transformer and installation of 2 new padmount transformers and a padmount switch to provide electricity to a new large multi-rise apartment structure.
Estimated Cost:	\$260,304
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution
Estimate Number:	<u>37186</u>
Location:	4062 Davis Street
Type of Service:	New Business
Description of Work:	Remove 1-200A Electric service meter, ±60' low voltage overhead service wire. Install 1-200A electric service meter, ±90' low voltage overhead service wire.
Estimated Cost:	\$1,064
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution
Estimate Number:	<u>38519</u>
Location:	5407 Stevens Creek Boulevard
Type of Service:	New Business
Description of Work:	Remove ±200' underground low voltage wire. Install ±200' underground low voltage wire, 2-underground connectors, 1-streetlight and pole.
Estimated Cost:	\$5,213
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution
Estimate Number:	<u>38257</u>
Location:	2225 Calle de Luna
Type of Service:	New Business
Description of Work:	Remove 1-padmount transformer, ±55' high voltage underground wire, 1-crossarm, 3-cutouts, 3-fuses, 1-800A service meter.
Estimated Cost:	\$7,018
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue:	Customer/Developer Contribution
Estimate Number:	<u>38325</u>
Location:	2620 Tuliptree Lane
Type of Service:	New Business
Description of Work:	Remove ±130' underground secondary wire - direct buried. Install ±130' underground secondary wire and 1-400A service meter.
Estimated Cost:	\$3,381
Appropriation:	Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work

Source of Revenue: Customer/Developer Contribution

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 the following sections of Title 14 of the California Code of Regulations: (1) 15302(c) (Class 2 - Replacement or Reconstruction) as the proposed work involves the replacement or reconstruction of existing utility systems and/or facilities involving negligible expansion of capacity, and (2) 15303 (Class 3 - New Construction or Conversion of Small Structures), because the proposed work involves the construction of a limited number of small electric utility facilities.

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 \$280,003 are included in the Fiscal Year 2022/23 Capital Budget, New Business Estimate Work 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 agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email 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 pursuant to Sections 15302 (c) and 15303 of Title 14 of the California Code of Regulations and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this Report to Council located at Scott Boulevard and Harrison Street, 3402 El Camino Real, 4062 Davis Street, 5407 Stevens Creek Boulevard, 2225 Calle de Luna, and 2620 Tuliptree Lane.

Reviewed by: Manuel Pineda, Chief Electric Utility Officer

Approved by: Office of the City Manager

ATTACHMENTS

1. Resolution - Use of City Electric Forces