

RESOLUTION NO. 20-8838

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
AUTHORIZING THE USE OF CITY WATER & SEWER UTILITIES
DEPARTMENT 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 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 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 Water and Sewer Utilities Department desires to perform certain public works, as set forth in the Report to Council dated April 28, 2020, 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:

1. The City Council of the City of Santa Clara does hereby declare and determine that the public works set forth in the April 28, 2020 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 28TH DAY OF APRIL, 2020, BY THE FOLLOWING VOTE:


AYES: COUNCILORS: Chahal, Davis, Hardy, O'Neill, and Watanabe,
and Mayor Gillmor

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST:


NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. April 28, 2020 Report to Council #20-366



City of Santa Clara

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Santa Clara, CA 95050
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Agenda Report

20-366

Agenda Date: 4/28/2020

REPORT TO COUNCIL

SUBJECT

Action on a Resolution for the Use of City Water Forces at 3439 Stevens Creek Boulevard [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 (\$1,000.00) 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 is best performed with City Forces to complete the limited size and scope of work outlined 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 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 installation of the following water services and approve the use of City Forces.

Location:	3439 Stevens Creek Boulevard
Type of Service:	Provide services for installation of new public water improvements and abandonment of existing water utilities.
Description of Work:	Abandon (4) existing 5/8" water services and install (3) new 1" water services including water meters and backflow prevention devices.
Job Number:	592-1423-80300-7054-(i)30516
Cost Estimate	\$ 25,277.00
Appropriation	Water Utility Fund (592) Distribution System Replacement/Restoration

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 2019/20 Adopted Budget.

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 <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

Adopt a Resolution approving the use of City Water forces for water and fire service upgrades at 3439 Stevens Creek Boulevard.

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

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Use of City Forces Resolution