

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS FINDING THAT EMERGENCY RESPONSE AND REPAIR IS REQUIRED FOR THE EMERGENCY WATER INTERTIE CROSSING I-880 BETWEEN DIXON LANDING ROAD AND MCCARTHY BOULEVARD AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO ADMINISTER THE EMERGENCY ACTION

WHEREAS, the City of Milpitas owns and operates an emergency water line intertie consisting of a 400-foot long, 14-inch diameter ductile iron pipe housed within a utilities sleeve crossing beneath I-880 between Dixon Landing Road and McCarthy Boulevard (northernmost crossing); and

WHEREAS, the purpose of this intertie is to provide essential potable and fire flow water to the developments located on McCarthy Boulevard; and

WHEREAS, the pipe has failed and has been shut down to prevent flooding and damage to I-880, McCarthy Boulevard, and businesses located on McCarthy Boulevard, and

WHEREAS, the City needs to repair this pipe as soon as possible to reestablish fire flow to safeguard life, health, and property; and

WHEREAS, pursuant to Sections 20168 and 22050 of the Public Contract Code, the City Council may by a four-fifths vote of its members authorize City staff to take immediate action to repair or replace public infrastructure or facilities in an emergency situation, take any directly related and immediate action required by the emergency, and procure necessary equipment, services, and supplies for those purposes without a formal public notice and a competitive solicitation for bids.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas as follows:

1. That it hereby finds that there is substantial evidence of the existence of an emergency situation as set forth in Public Contract Code section 22050 et seq. because of the failure and leakage of the emergency water line intertie referenced herein and the conditions described in Agenda Request and Summary for this item, which is hereby incorporated by reference.

2. That it hereby finds that there is substantial evidence that the immediate repair of the water intertie crossing I-880 between Dixon Landing Road and McCarthy Boulevard is crucial to the maintenance of fire fighting capability along McCarthy Boulevard.

3. That it hereby finds that there is substantial evidence that the current emergency conditions do not allow for the delay that would arise from a competitive solicitation for bids and that the immediate letting out of contracts to remediate the emergency situations are therefore necessary to respond to the emergency.

4. That, therefore, the City Council hereby directs and authorizes the Director of Public Works to repair or replace the water line intertie and to take all other directly related and immediate action and to procure necessary equipment, services and supplies.

PASSED AND ADOPTED this _____ day of _____ 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S Esteves, Mayor

APPROVED AS TO FORM

Michael J. Ogaz, City Attorney

City of Milpitas, California

BUDGET CHANGE FORM

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one: <input checked="" type="checkbox"/> Budget Appropriation <input type="checkbox"/> Budget Transfer	400-2970	\$240,000	400-4234241	\$240,000

Explain the reason for the budget change:

The City needs to complete an emergency repair of a water line break within a 400-foot long section of 14-inch diameter ductile iron water pipe housed inside a sleeve beneath I-880 between Dixon Landing/California Circle and McCarthy Boulevard (northernmost crossing). This pipe is an intertie listed as an emergency facility in the City's Water Emergency Response Plan because it supplies fire flow pressure to the McCarthy Boulevard developments. The pipe failed, causing water to flood from a valve vault adjacent to McCarthy Boulevard. Department of Public Works (DPW) responded and shut down the pipe to prevent flooding and erosive damage to I-800 and McCarthy Boulevard but was unable to investigate the failure due to its extreme depth and inaccessibility. The pipe is 14 feet below ground surface and is inside a utility sleeve with other communication utilities. DPW called Preston Pipeline to excavate and stabilize a pit and dismantle a riser pipe to allow investigation of the cause and location of the break. Preston Pipelines video-inspected the line and determined that the leak is caused by a one-inch diameter hole in the pipe located approximately 190 feet from the McCarthy Boulevard excavation pit, which places it directly beneath the freeway. Preston was able to run a 12-inch diameter test mandrel through the line to verify that the pipe is relatively free of obstructions and can be feasibly slip-lined with a 12-inch diameter PVC pipe. Engineering staff has verified that reducing this line to 12 inches will not cause an unacceptable reduction in the fire flow pressure.

The estimated cost to complete this repair is \$240,000. This includes approximately \$65,000 incurred to date to investigate and stop the leak and maintain dewatering of the excavation and approximately \$115,000 to install a liner within the pipe (based on quote from Preston Pipeline). An additional allowance of \$60,000 is needed as contingency for testing and inspection services, to make repairs to the sleeve, and to address unforeseen conditions.

Approve a budget appropriation of \$240,000 from the Water Fund Reserve to Utilities Maintenance for emergency repair of a water line break.

Check if City Council Approval required.

Meeting Date: August 19, 2008

Itemization of funds, if needed:			Amount
Requested by:	Division Head:	Date:	
	Department Head:	Date:	8/11/08
Reviewed by:	Finance Director:	Date:	8/11/08
Approved by:	City Manager:	Date:	
Date approved by City Council, if required:			Confirmed by: