

RESOLUTION 2024-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 2024 STORMDRAIN LINING PROJECT

WHEREAS, the City has routinely experienced stormdrain failures, particularly with corrugated metal pipe stormdrain assets;

WHEREAS, it is critical to repair the stormdrains as soon as possible to avoid further damage to the public right of way or private property;

WHEREAS, the City developed and advertised a bid package to repair three culverts located in priority areas throughout Fortuna;

WHEREAS, the City received no bids to perform the project outlined in the bid documents;

WHEREAS, staff identified a contractor that can complete the necessary improvements associated with the bid at a competitive price and before the upcoming winter rains;

WHEREAS, formally bidding the project again would likely result in the inability to complete the required improvements before the winter rains;

WHEREAS, pursuant to section 2.50.70(D) of the Fortuna Municipal Code, the Council may elect to dispense with formal competitive bidding for the procurement of contractor services and may instead authorize the City Manager to negotiate directly with the manufacturers if the Council finds it to be in the public interest;

WHEREAS, pursuant to Public Contract Code section 20161(c), work involving the repair and/or maintenance of streets and sewers is exempt from the formal bidding requirements of the Public Contract Code, and the Council finds that the subject project is therefore exempt.

NOW, THEREFORE, BE IT RESOLVED that the Fortuna City Council of the City of Fortuna hereby:

1. Finds and declares that it is in the public interest to dispense with the formal competitive bidding requirements set forth in Section 2.50.040 of Chapter 2.50 of the Fortuna Municipal Code for the completion of the 2024 Stormdrain Lining Project; and
2. The City has identified a contractor available to perform the work before the winter season; and
3. The City Manager is authorized to negotiate a construction contract with Miksis Services, Inc, for a not to exceed amount of \$175,000, allowing for an approximately 10% construction contingency; and
4. The City Manager is further authorized to execute and submit all documents including, but not limited to applications, purchase agreements, which may be necessary for the completion of the aforementioned purchase.

PASSED AND ADOPTED on this 7th day of October 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tami Trent, Mayor

ATTEST:

Siana Emmons, City Clerk