Legislation Text

File #: 26-029, **Version:** 1

Actions Related to the Emergency Repairs of Pond A18's Southern Gate Structure Located at the San José-Santa Clara Regional Wastewater Facility.

(a) Accept the staff report detailing the status of the San José-Santa Clara Regional Wastewater Facility's Pond A18's southern gate structure, the likelihood for failure, the consequences of failure, and the plan for immediate action to repair the structure.

(b) Adopt a resolution by the affirmative vote of at least eight members of the City Council as required by Section 1217 of the City Charter:

(1) Declaring and finding that, based on substantial evidence, public interest and urgent necessity demand the immediate contractor procurement to perform emergency repair of the San José-Santa Clara Regional Wastewater Facility's Pond A18 southern gate structure without formal bidding as otherwise required under Section 1217 of the City Charter for the preservation of life, health, and property, and that the emergency repair will not permit a delay resulting from formal bidding as otherwise required under Section 1217 of the City Charter, and that the action is necessary to respond to the urgent necessity; and

(2) Delegating authority to the Directors of Environmental Services and Public Works to:

(i) Negotiate and award construction contracts necessary to repair the southern gate structure in order to protect Pond A18 and levees in an amount not to exceed $2,150,00;

(ii) Approve a 20% contingency in an amount not to exceed $430,000; and

(iii) Direct staff to file CEQA emergency exemption documentation and pursue required agency emergency permits concurrently.

PLEASE NOTE: APPROVAL OF THIS RESOLUTION REQUIRES AFFIRMATIVE VOTES OF EIGHT MEMBERS OF THE CITY COUNCIL. San José City Charter Section 1217(i)(5).

CEQA: Exempt, under Section 15269 - Emergency Projects, of the State Guidelines for Implementation of the California Environmental Quality Act. Council District 4. (Environmental Services/Public Works)

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