

CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report

MEETING DATE	AGENDA ITEM NUMBER
July 16, 2013	

TO: Mayor Shoji and City Council

FROM: Jennifer Wirsing, Engineering Service Coordinator
Jim Hossley, Public Works Director

Through: Rodger Craddock, City Manager

ISSUE: Consider Approval to Award an Emergency Contract for Damaged Storm Pipe at S. 4th Street and Curtis Avenue

BACKGROUND:

The City's Streets Division observed a sinkhole at the intersection of S. 4th Street and Curtis Avenue. Upon further investigation the sinkhole was determined to be approximately 6 feet deep by 15 feet wide by 15 feet long. Within the vicinity of the sinkhole there is an existing 12 inch concrete storm drain pipe (age of pipe is unknown). The pipe was televised and significant deficiencies were observed in the vicinity of the sinkhole. Additionally dye was placed in the sinkhole and observed coming through the deficiencies in the storm drain. The segment of pipe that is aligned across this intersection is approximate 60 feet in length. The entire segment is exhibiting deficiencies and is need of repair.

Significant infrastructure is located within the vicinity of the storm drain that consists of sewer, gas lines, fiber optics, and electrical lines and utility vaults. Additionally the depth of the storm drain is approximate 11 feet deep. As such Staff is researching trenchless technology to repair this pipe as opposed to the conventional trenching method. Staff will obtain three quotes. The quotes will have two options that consist of trenching and trenchless construction. The quotes will determine the construction method utilized.

Quotes are anticipated to be received on Tuesday, July 22, 2013 at 4pm. For the City to expedite this repair, the City's contract rules Ordinance No. 365 (ATTACHMENT A) does allow for a contracting method that is different than the normal approach. For projects under and in excess of \$50,000, Section 11, (a) or (b) of the contracting rules applies.

Depending on the results of the quotes will dictate which section applies. If the project is less than or in excess of \$50,000, in accordance with the above Ordinance, the findings describing the circumstances that require the prompt performance of the contract, and of the harm anticipated to result from failing to establish the contract on an expedited basis are as follows:

If this section of storm drain pipe is left unattended, there are concerns of further damage the storm drain system, the intersection, sewer, gas lines, fiber optics, electrical lines and utility vaults. This section of road is classified as a collector road is utilized heavily. The City's regular/standard procurement method would be to request formal bids for the project. Doing this would not allow the City to make the emergency repairs that needed to occur in a timely manner. To encourage competition, City staff will attempt to obtain at least three written quotes.

ADVANTAGES:

Awarding a contract through the City's emergency procurement process will allow the City to meet the time constraints in place that require repairs be made as soon as possible. The timely repair will minimize further damage to the road and the additional infrastructure and thus prevent the city from incurring additional repair costs.

DISADVANTAGES:

Due to the emergency nature of the project, staff did not have the ability to obtain formal competitive bids which could result in higher immediate repair cost.

BUDGET:

The source of funds for this contract is the Fund 29, Wastewater Improvement Fund, Expenditures, Wastewater Emergency, and Emergency Repairs (29-810-530-3010).

RECOMMENDATION:

If it pleases the Council, approve the award of the emergency contract for the damaged storm pipe at S. 4th Street and Curtis Avenue pursuant to the Emergency Contract rules found in Section 11 of City of Coos Bay Ordinance O-365 for an amount not to exceed \$100,000.

ATTACHMENTS:

ATTACHMENT A – Section 11 of City Purchasing Rules

ATTACHMENT A

City's contract rules Ordinance No. 365, Section 11, (a), (b) and (c)

Section 11. Emergency Contracts.

(a) Emergency Contracts Under \$50,000. The Board may let public contracts without competitive procurement if an emergency exists. For the purposes of this rule, an emergency consists of circumstances creating an unforeseen and substantial risk of loss or damage to property, a significant interruption of governmental services or a threat to public health or safety which requires prompt execution of a contract to remedy the condition.

(1) The Director may declare an emergency, which shall authorize the City to enter into an emergency contract with a price under \$50,000. The Director must make written findings describing the emergency conditions necessitating prompt execution of the contract.

(2) Any contract awarded under this exemption shall be awarded within 60 days following declaration of the emergency unless an extension is granted by the board.

(b) Emergency Contracts in Excess of \$50,000. The Board may enter into public contracts in excess of \$50,000 without competitive bidding when circumstances that could not reasonably be anticipated necessitate the prompt establishment and performance of the contract in order to preserve public funds, property, or the uninterrupted provision of government services. In exercising its authority under this exemption, the Board shall:

(1) To the extent reasonable under the circumstances, encourage competition by attempting to make informal solicitations or to obtain informal quotes from potential suppliers of goods or services;

(2) Make written findings describing the circumstances that require the prompt performance of the contract, and of the harm anticipated to result from failing to establish the contract on an expedited basis;

(3) Make specific finding of the measures taken under Subsection (1) of this section to encourage competition, the amounts of the quotes or proposals obtained, if any, and the reason for selecting the particular contractor.

(c) No contract shall be let pursuant to this section in the absence of a substantial risk of loss, damage, or interruption of services that would occur if contract award awaited the time necessary, given the complexity of the project, to solicit, receive and analyze bids or proposals.