

RESOLUTION NO. 2014-127

A RESOLUTION OF THE LODI CITY COUNCIL FINDING A PUBLIC EMERGENCY EXISTS REQUIRING THE IMMEDIATE REPAIR OF DIGESTERS NO. 1 AND NO. 2 AT THE WHITE SLOUGH WATER POLLUTION CONTROL FACILITY; AUTHORIZING THE CITY MANAGER TO ORDER REQUIRED ACTIONS AND TO EXECUTE THE NECESSARY CONTRACTS; AND FURTHER APPROPRIATING FUNDS

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WHEREAS, the City of Lodi's Digesters No. 1 and No. 2 at the White Slough Water Pollution Control Facility (WSWPCF) were constructed as part of the original plant construction in 1967; and

WHEREAS, on May 27, 2014, it was discovered that there was a leak in the seal around the floating roof of Digester No. 2, and it was immediately taken out of service as it cannot function without a sealed airtight and anaerobic environment; and

WHEREAS, on May 28, 2014, staff tested the structural integrity of the roof of Digester No. 1 and found it is also deteriorating with visible cracks around the periphery; and

WHEREAS, should Digester No. 1 fail completely there will not be sufficient capacity in the remaining two digesters to handle the incoming flows of sludge; and

WHEREAS, the capacity of Digesters No. 3 and No. 4 is not sufficient to meet our waste discharge permit requirements, and the City could be subject to fines of up to \$25,000 per day from the State should there be a discharge of partially treated sludge; and

WHEREAS, there are health and safety risks associated with the potential of both Digester No. 1 and Digester No. 2 being out of service at the same time; and

WHEREAS, staff and the City's design consultant, West Yost Associates (WYA), recommend utilizing a guaranteed maximum price (GMP) method to repair the digesters as this would provide Digester No. 2 online approximately five months sooner than the conventional design, bid, build method; and

WHEREAS, staff and WYA recommend negotiating with Western Water Constructors, Inc., and Overaa Construction, to obtain the lowest price GMP contract; and

WHEREAS, as Western Water Constructors, Inc. and Overaa Construction are well equipped to successfully complete the project, given that they have done similar digester roof modifications, have utilized the GMP method, and successfully completed major construction projects with the City; and

WHEREAS, Section 22050 of the Public Contract Code allows for public facilities to be repaired or replaced in an emergency without giving notice for bids.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby make the emergency finding required by the Public Contracts Code to dispense with the City bidding requirement for this project due to an unacceptable delay resulting from the competitive bid process, that immediate repairs are necessary to Digesters No. 1 and No. 2 at the White Slough Water Pollution Control Facility, the health and safety risks associated with the potential of both Digesters No. 1 and No. 2 being out of service at the same time, and the significant risk that delaying the necessary repairs could result in the City violating the requirements of its waste discharge permit resulting in State imposed fines; and

BE IT FURTHER RESOLVED that the City Council does hereby authorize the City Manager to order required actions, and negotiate and execute necessary contract(s) with Western Water Constructors, Inc., or Overaa Construction, in an amount up to \$3,100,000 for the emergency repairs of Digesters No. 1 and No. 2 at the White Slough Water Pollution Control Facility; and

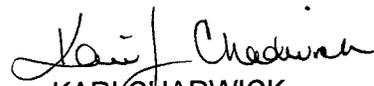
BE IT FURTHER RESOLVED that funds in the amount of \$3,100,000 be appropriated for the project from the Wastewater Capital account.

Dated: July 16, 2014

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I hereby certify that Resolution No. 2014-127 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 2014, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Johnson, Mounce, Nakanishi, and Mayor Katzakian
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None


KARI CHADWICK
Administrative Secretary