

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
3 CALIFORNIA, (1) DECLARING THAT THE EMERGENCY REPAIR WORK
4 FOR THE EMERGENCY WORK TO THE WQCP GAS LINE TO BE OF
5 URGENT NECESSITY FOR THE PRESERVATION OF LIFE, HEALTH, OR
6 PROPERTY AND WAIVING THE FORMAL COMPETITIVE
PROCUREMENT REQUIREMENTS OF CITY CHARTER SECTION 1109;
AND (2) AUTHORIZING THE EXPENDITURE IN THE AMOUNT OF
\$112,682.51 TO A.M. ORTEGA CONSTRUCTION, INC. FOR THE
EMERGENCY REPAIRS.

7 WHEREAS, the Riverside Regional Water Quality Control Plant (“WQCP”) experienced a
8 natural gas leak by the Collections Maintenance Building; and

9 WHEREAS, due to the nature of urgency as it pertains to the employees’ health and safety, the
10 Southern California Gas Company (“SoCalGas”) was called to assess the situation and determined the
11 natural gas was leaking into a below ground electrical raceway in the MCC Room of the Collections
12 Maintenance Building; and

13 WHEREAS, after measuring the concentration of the gas and its surrounding locations,
14 SoCalGas issued a “hazardous condition” notice to the WQCP; and

15 WHEREAS, the WQCP was given 48 hours to correct the source of the gas leak, and if no
16 progress has been made within 48 hours, SoCalGas would shut off the gas at the main meter; and

17 WHEREAS, the WQCP has a South Coast Air Quality Management District (“SCAQMD”) requirement for the operation of two (2) flares (burn off of methane) that use the natural gas from the
18 gas line in question and cannot be shut off without affection operations; and

19 WHEREAS, the violation would occur if the WQCP shut off the flare operations and then the
20 WQCP would face fines by the SCAQMD; and

21 WHEREAS, this gas line also supplies gas to the collections/maintenance building boilers,
22 which provides hot water to the building and to the field workers’ shower facilities; and

23 WHEREAS, two (2) companies were called for the emergency gas line repair, and the work
24 was approved and authorized by the Purchasing Manager to proceed with the emergency work in the
25 initial amount of \$49,950.00 to A. M. Ortega Construction, Inc (“Contractor”); and
26

1 WHEREAS, the emergency repair work was scheduled in four (4) working days and during
2 the second day of the work, the Contractor isolated the gas line to the Collections/Maintenance and
3 Maintenance Shop Building to allow the flare to operate unhindered; and

4 WHEREAS, pressure tests were performed and the results indicated the gas line failed the
5 pressure tests in multiple locations and it was determined that about 130 linear feet of gas line needed
6 to be replaced; and

7 WHEREAS, the Contractor's subcontractor was called the next day to use ground penetrating
8 radar to determine the underground utilities that were in conflict with the new gas line route; and

9 WHEREAS, the repair work continued for another week and the additional work involved
10 extra labor and materials, which increased the original Purchase Order No. 224758 amount of \$49,950
11 to an additional cost of \$62,732.51, for a total amount of \$112,682.51; and

12 WHEREAS, due to the emergency nature of this project, and based upon the facts set forth
13 above, the Purchasing Services Manager approved an expenditure to the Contractor for the emergency
14 repair work to the WQCP's gas leak by the Collections Maintenance Building, the in the amount of
15 \$112,682.51, in accordance with City Charter section 1109 and Purchasing Resolution No. 23812,
16 Sections 300-302; and

17 WHEREAS, City Charter section 1109 provides that expenditures for such emergency repairs
18 may be approved without advertising for bids if such work, supplies or materials shall be deemed by
19 the City Council to be of urgent necessity for the preservation of life, health or property, and shall be
20 authorized by resolution passed by at least five affirmative votes of the City Council and containing a
21 declaration of the facts constituting such urgency.

22 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,
23 California, as follows:

24 Section 1: The above recitals are incorporated herein by reference.

25 Section 2: On the basis of the foregoing recitals and the staff report accompanying this
26 Resolution, it is hereby found and declared that repair work to the Riverside Regional Water Quality
27 Control Plant's gas leak by the Collections Maintenance Building was of urgent necessity for the
28

1 preservation of life, health, or property, and waiving the formal competitive procurement requirements
2 of City Charter 1109.

3 Section 3: The expenditure to A. M. Ortega Construction, Inc. in the amount of \$112,682.51
4 for the repair work to the Riverside Regional Water Quality Control Plant’s gas leak by the Collections
5 Maintenance Building is hereby authorized and approved as emergency construction repairs.

6 ADOPTED by the City Council this ____ day of _____, 2023.

7
8 _____
9 PATRICIA LOCK DAWSON
10 Mayor of the City of Riverside

11 Attest:

12 _____
13 DONESIA GAUSE
14 City Clerk of the City of Riverside

15 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
16 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at
17 its meeting held on the ____ day of _____, 2023, by the following vote, to wit:

18 Ayes:

19 Noes:

20 Absent:

21 Abstain:

22 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
23 City of Riverside, California, this ____ day of _____, 2023.

24 _____
25 DONESIA GAUSE
26 City Clerk of the City of Riverside

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28 CA: 22-0456.2 02/21/23