

**RESOLUTION NO. 2017-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DECLARING AND FINDING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE IMMEDIATE PROCUREMENT AND AWARD OF THREE CONSTRUCTION CONTRACTS TO PERFORM EMERGENCY BRIDGE AND PAVEMENT REPAIRS ON TEMESCAL CANYON ROAD; AWARD OF CONTRACT**

**Whereas**, Temescal Canyon Road, in the vicinity of Lake Street, is a public right of way and is owned and maintained by the City of Lake Elsinore (City); and,

**Whereas**, the City's Engineering Department has identified bridge and roadway damage that has caused the bridge to be closed to traffic; and,

**Whereas**, the Average Daily Traffic (ADT) on this roadway is 6,000 vehicles per day and its closure is causing significant detours to the traveling public (10 miles +/-); and,

**Whereas**, competitive procurement of a qualified contractor for this type of specialized work could take up to three months; and,

**Whereas**, California Public Contract Code Section 22050(a)(1) authorizes public agencies to take emergency action to repair or replace a public facility without competitive bidding; and,

**Whereas**, the Engineering Department has obtained numerous bids from seasoned contractors with expertise in repairs of this type and magnitude and determined that such bids are reasonable; and,

**Whereas**, the City desires to immediately procure the contractors to begin work.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1:** The Council finds that, based on substantial evidence, the emergency will not permit a delay resulting from a competitive solicitation for bids, and that this action is necessary to respond to the emergency.

**Section 2:** Based on substantial evidence as described in the Staff Report prepared by Brad Fagrell, City Engineer, public interest and necessity demand the immediate procurement and award of multiple construction contracts to perform emergency repairs on Temescal Canyon Road bridge and pavement without competitive bidding.

**Section 3:** Contracts for emergency bridge and pavement repairs on Temescal Canyon Road are hereby awarded to three separate contractors: DM Contracting, Inc., NPG Asphalt, and Myers & Sons Hi-Way Safety, Inc. for the total amount of \$110,000.00 which includes a 10 percent contingency and, further, the City Manager is authorized to execute the contracts with these three companies in such final form as approved by the City Attorney.

**Section 4.** The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

**Section 5.** This Resolution shall take effect immediately upon its adoption.

**PASSED and ADOPTED** this 28<sup>th</sup> day of February 2017.

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Robert E. Magee, Mayor

**ATTEST:**

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Susan M. Domen, MMC  
City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
CITY OF LAKE ELSINORE    )

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2017-\_\_\_\_ was adopted by the City Council of the City of Lake Elsinore, California, at the Regular meeting of February 28, 2017, and that the same was adopted by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Susan M. Domen, MMC  
City Clerk