



TOWN OF FAIRFAX

SPECIAL MEETING STAFF REPORT

September 22, 2021

TO: Mayor and Town Council

FROM: Jonathon Goldman, Interim Public Works Director
Michael Vivrette, Finance Director
Adam Politzer, Interim Town Manager
Janet Coleson, Esq., Town Attorney

SUBJECT: Adopt a Resolution to Authorize the Town Manager to Negotiate and Execute up to Five Separate Public Works Contracts for Public Work Capital Repairs, each in an Amount not-to-exceed \$60,000, without any Supplemental Appropriations (i.e., within adopted budgets) for Projects Deemed Urgent by the Interim Public Works Director

RECOMMENDATION

Adopt a Resolution to Authorize the Town Manager to negotiate and execute up to five separate contracts for public work capital repairs, each in an amount not-to-exceed \$60,000, without any supplemental appropriations (i.e., within adopted budgets) for projects deemed urgent by the Interim Public Works Director.

DISCUSSION

During the course of Council's regular meeting of September 1, 2021, Council and the community were advised that there were several capital projects identified by the Interim Public Works Director that warranted action prior to the rainy season. In the time since, the details regarding and need for contractor assistance in delivering those repairs has become a bit clearer. For the sake of clarity of authority, Staff is respectfully requesting that the Interim Town Manager be granted the authority to negotiate and execute contracts for capital repairs, in contract amounts of \$60,000 or less, to address these urgent matters.

The need for pavement repairs to a segment of Oak Road was identified with a request for a quotation from the Town in March, 2020. That segment has been repaved at the Interim Public Works Director's request.

A road segment of upper Bay Road has been identified as in need of urgent repair prior to significant rainfall by the Town's consulting Town Engineer, Miller-Pacific. The urgency is a result of the failures of blocks of unreinforced Portland cement concrete roadway, likely constructed in the 1920's, and obscured by asphaltic concrete overlays and trench repairs over the years. Staff recommends repairs at the earliest possible convenience to prevent Infiltration of rainwater into the subgrade below the pavement section.

Similarly, the former Town Manager concluded some time ago that a portion of the not-Town-maintained roadway on Berry Trail had been damaged as a result of prior Town actions to mitigate a mudslide. In order to ensure that those repairs are completed before significant rainfall to mitigate against possible adverse impacts to private property, authorization to

negotiate a contract to accomplish repairs at the earliest possible convenience is recommended. In addition (owing to the limited nature of that work), Staff is in the process of prioritizing additional road segments that could be repaired as part of a mobilization for work of \$60,000 or less. Candidates include segments of Crest Road, and Ridgeway Avenue, and others are being evaluated to maximize the benefit of having one contractor bundling several smaller projects with similar infiltration into sub grade urgency before it rains significantly.

Finally, there are three problematic storm drain segments that are either evident because trench plates were installed over identified failures, or are known to drain slowly during heavy rains by Staff. The two that have been previously identified are both the result of the failures of corrugated metal pipes installed underground many years ago. One such failure location is along the northerly (Parkade) curb of Broadway between catch basins opposite the Fairfax Theater and Siam Lotus. It consists of a 36-inch diameter corrugated metal pipe that no longer has any metal on the lower segment of its original circular arc. The second of these known failures are three corrugated metal pipe segments in the vicinity of Doc Edgar Park. All three have been cleaned and inspected by closed-circuit television. There are no bottoms in any of the tree storm drain pipe segments investigated there, and should a pipe segment collapse occur, the potential for flooding of private properties and a reduction in access and egress in an emergency is of concern. The third such area of concern involves a slow drain on the east side of the roadway formerly known as Sir Francis Drake between San Miguel Court and Oak Manor. Staff is inspecting these lines at the time this report is being written and recommends that the Interim Town Manager have the authority to negotiate and execute a contract in the amount of \$60,000 or less should the urgent need for repairs be identified.

FISCAL IMPACT

The Town's adopted budget includes appropriations for storm drain and pavement repairs adequate to cover the up to five separate contracts for which authority to contract is recommended. Should any additional contracts or the need for additional budget be identified, Staff will return to Council to seek additional action.

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15302 - Replacement or Reconstruction (Class 2), the recommended work is categorically exempt from the application of CEQA inasmuch as it involves the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. There is no foreseeable impact associated with the recommended grant of authority to the Interim Town Manager to negotiate and execute the recommended contracts.

ATTACHMENT

Resolution

RESOLUTION NO. 21-__

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE UP TO FIVE SEPARATE
CONTRACTS FOR PUBLIC WORK CAPITAL REPAIRS, EACH IN AN AMOUNT NOT-TO-EXCEED
\$60,000, WITHOUT ANY SUPPLEMENTAL APPROPRIATIONS (I.E., WITHIN ADOPTED
BUDGETS) FOR PROJECTS DEEMED URGENT BY THE INTERIM PUBLIC WORKS DIRECTOR**

WHEREAS, Council and the community were advised at Council's regular meeting of September 1, 2021 that several capital projects identified by the Interim Public Works Director warranted action prior to the upcoming rainy season; and

WHEREAS, the need for pavement repairs to a segment of Oak Road was identified with a request for a quotation from the Town in March, 2020. That segment has been repaved at the Interim Public Works Director's request; and

WHEREAS, a segment of upper Bay Road has been identified as in need of urgent repair prior to significant rainfall by the Town's consulting Town Engineer, Miller-Pacific; and

WHEREAS, the former Town Manager concluded that a portion of the not-Town-maintained roadway on Berry Trail had been damaged as a result of prior Town actions to mitigate a mudslide and it is urgent that those repairs are completed before significant rainfall; and

WHEREAS, three problematic storm drain segments are evident because trench plates were installed over identified failures, or are known to drain slowly during heavy rains by Staff and repairs prior to significant rainfall will protect against possible damage to private property; and

WHEREAS, the contemplated work is categorically exempt from the application of CEQA inasmuch as it involves the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity; and

WHEREAS, the Town Manager's authority to negotiate and execute up to five construction contracts of up to \$60,000 each for the work identified as urgent requires Council action;

NOW, THEREFORE, BE IT RESOLVED, that the Fairfax Town Council grants the Interim Town Manager the authority to negotiate and execute contracts for capital repairs, in contract amounts of \$60,000 or less, to address these urgent matters.

The foregoing Resolution was duly passed and adopted at a special meeting of the Town Council of the Town of Fairfax, held in said Town on the 22nd day of September 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

BRUCE ACKERMAN, Mayor

Attest: _____
Michele Gardner, Town Clerk