

EL DORADO HILLS COUNTY WATER DISTRICT

RESOLUTION 2016-18

**RESOLUTION DECLARING AN EMERGENCY EXISTS AND WAIVING THE
COMPETITIVE BID PROCESS**

WHEREAS, with a 4/5 vote, the Board of Directors of the El Dorado Hills County Water District ("District) in accordance with (Government Code Section 54201-05 and Public Contract Code Section 22050) authorizes the Board of Directors to declare an emergency and waive the Comparative Bid process; and

WHEREAS, the District has determined that due to water intrusion and continued water intrusion, mold, and the age of the building, Station 91 is no longer able to operate as a Fire Station; and

WHEREAS, with the loss of the use of Station 91, the District is unable to provide adequate service to the Station 91 response area or provide a safe working environment for its employees; and

NOW, THEREFORE BE IT RESOLVED that the El Dorado Hills County Water District Board of Directors, with a 4/5 vote has determined that an emergency exists, thereby waiving the competitive bid process related to mold mitigation and repairs of Station 91.

PASSED AND ADOPTED by the Board of the El Dorado Hills County Water District this 22th day of November, 2016, by the following vote:

AYES:

NOES:

ABSENT:

John Hidahl, President

ATTEST:

Jessica Braddock, Board Secretary

Emergency Repair Authorization – Station 91

Summary:

With the Annexation of Latrobe Fire Protection District, El Dorado Hills Fire District (EDHFD) acquired all the assets including a long-term lease where the current Station 91 now sits and a five-acre parcel at the intersection of Heffrin Drive and Dodson Road for future use.

On March 21, 2016, West Coast Restoration conducted destructive testing of the interior walls of Station 91 due to a suspicion of mold. The testing confirmed the presence of mold in three of the four walls at the Fire Station. West Coast Restoration immediately began a mold remediation process by installing plastic vapor barriers and portable HEPA filtration systems. After additional consultation with West Coast Restoration, it was determined that additional repairs would be needed to prevent continued moisture intrusion into the Station.

Subsequently, the station was closed out of concern for the health and safety of the crews and is currently vacant.

Station 91 crews are currently stationed in a leased “construction” trailer, on the Station 91 property, from 0830-1830. After 1830 the crew members are split and assigned to engine companies at Station 84 and Station 87. The current lease on the trailer is \$515.00/month excluding utilities and weekly pumping of the septic bladder system.

The use of the trailer was/is a short-term solution until the Board received the Standards of Coverage/Community Risk Assessment documents and held a “meet and confer” with the Union to discuss staffing level options. The trailer was never intended to be a long-term solution and is not adequately equipped to support seven-day a week use.

The trailer does not provide the basic minimum for long-term housing of emergency personnel, for example, some of the issues include;:

1. No shower facilities including emergency decontamination stations.
2. The trailer utilizes a “bladder” septic system that requires weekly service and has the potential to leak into the surrounding ground water.
3. The trailer lacks facilities to store and clean contaminated safety gear.
4. There are no food preparation and storage areas.
5. There is no area to store, maintain, and repair of apparatus or equipment.

West Coast Restoration is a fully licensed and bonded contractor who specializes in the restoration of facilities damaged by flood, fire, and they are fully certified by OSHA for the remediation of mold. Along with OSHA certification they are qualified in all aspects of general construction and construction project management.

EDHFD has utilized West Coast Restoration on several projects including; Roof repair, general construction, and mold remediation of Station 85 and 86. All projects were completed on-time and within contracted amount.

Public Contracting Code (PCC) sections 20160 through 20174 govern the competitive bidding requirements applicable on public projects.

Section 20168 of the PCC provides: *"In case of an emergency, the legislative body may pass a resolution by a four-fifths vote of its members declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property. Upon adoption of the resolution, it may expend any sum required in the emergency without complying with the Public Contracts Code."*

An "emergency" is defined in Section 1102 as *" a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property or essential public services."*

Since water intrusion was discovered at Station 91, the building has been vacant while other options were discussed. With the impending winter, it is imperative that we take steps to prevent further damage to the structure, remove any remaining mold, and ensure that the Station 91 crew has a more permanent facility. The current "construction trailer" is inadequate for long term occupancy.

Fiscal Impact:

The fiscal impact is not to exceed \$200,000.

NOTE: \$77,000 in Development Fee revenue generated in Latrobe have been transferred to the EDHFD and maybe available.

Recommendation:

Staff is recommending that the Board waive the competitive bid process by approval of Resolution #2016-18 declaring an emergency exists, and approve the Not To Exceed Amount of \$200,000 for repairs to Station 91