

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO WAIVE THE FORMAL BIDDING PROCESS AS AN EMERGENCY CONDITION, DECLARING THE NECESSITY THEREOF, AND AUTHORIZING STAFF TO PROCEED WITH EMERGENCY REPAIRS TO WELL NO. 31.

WHEREAS, Sections 22035 and 22050 of the Public Contracts Code provide that upon adoption by the City Council by a four-fifths vote of a resolution declaring that the public interest and necessity demand the immediate expenditure of public funds to safeguard life, health, or property in order to proceed with emergency work without notice for bids to let a contract for such emergency work; and,

WHEREAS, the staff report accompanying this Resolution sets forth the facts supporting a finding that an emergency exists relating to the condition of Water Well No. 31 and that the public interest and necessity demand the immediate expenditure of funds to rebuild the pump and replace all pump shafts and columns at the well to safeguard life, health or property; and

WHEREAS, Section 22050 also provides that the resolution may delegate to the City Manager, or other officer, the authority to order any action required by the emergency and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let the contracts; and

WHEREAS, the City Manager has ordered that the work commence in order to bring the well back into production as expeditiously as possible.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIO, CALIFORNIA, HEREBY RESOLVES, FINDS AND DETERMINES AS FOLLOWS:

1. That the public interest and necessity demand the immediate expenditure of public funds to safeguard life, health, or property in order to proceed with emergency work for the rebuilding of the pump and replacing of all pump shafts and columns of Well No. 31.
2. That the emergency will not permit a delay that would result from a competitive solicitation for bids and that action is necessary to respond to the emergency related to the conditions of the well.
3. That the City Manager or his designee is hereby authorized to order any action required to remedy the emergency relating to the condition of the well and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.
4. That to the extent the City Manager has already authorized the work to be commenced, the City Manager's actions authorizing the emergency work are hereby approved and ratified.

PASSED, APPROVED, and ADOPTED this 9th Day of July, 2019.