

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A 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
THE POLICE DEPARTMENT EMERGENCY GENERATOR

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;

WHEREAS, the staff report accompanying this Resolution sets forth the facts supporting a finding that an emergency exists relating to the condition of the emergency generator and that the public interest and necessity demand the immediate expenditure of funds to repair the generator to safeguard life, health or property;

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 repair the generator as expeditiously as possible.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, 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 repair of the emergency generator located at the Police Department.
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 emergency generator.
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 emergency generator 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.