

RESOLUTION NO. 2013-095

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE FINAL REPORT OF EXPENDITURES FOR BONITA CANYON EMERGENCY REPAIR PROJECT AND RATIFYING THE CONTRACT BETWEEN THE CITY OF CHULA VISTA AND CASS CONSTRUCTION, INC. FOR THE BONITA CANYON EMERGENCY REPAIR WORK (CIP DR189) AND THE ASSOCIATED EXPENDITURES

WHEREAS, the City of Chula Vista's infrastructure includes natural and improved drainage systems that convey water away from property and ultimately out to the receiving waters of the Otay and Sweetwater Rivers and the San Diego Bay; and

WHEREAS, staff noticed that the Bonita Canyon channel has erosion issues that need to be repaired to control the erosion in the channel; and

WHEREAS, on July 23, 2010, Rick Engineering Company completed a drainage priority assessment and determined that the work in Bonita Canyon is the most critical and has the highest priority among all drainage erosion projects in the City; and

WHEREAS, on August 17, 2010, in accordance with Resolution No. 2010-212, the City Council established a new capital improvement project for Bonita Canyon Repairs, project DR189; and

WHEREAS, the City of Chula Vista amended the Fiscal Year 2010/2011 CIP Program approving funds to include the Bonita Canyon Repairs project; and

WHEREAS, on November 9, 2010, in accordance with Resolution No. 2010-263, the City Council approved an agreement between the City of Chula Vista and the Rick Engineering Company for professional services for preparing plans and specifications for the Bonita Canyon Repair Project; and

WHEREAS, on April 13, 2012, in accordance with Resolution No. 2012-041, the City Council appropriated \$466,000 from the General Fund Reserve for Fiscal Year 2012 to the existing Capital Improvement Project DR189, for the construction of the Bonita Canyon repairs, environmental permitting fees, and associated consultant services, and approved certain additional services in accordance with Article I of the existing agreement between the City of Chula Vista and Rick Engineering Company in the amount of \$38,000; and

WHEREAS, City Council appropriated an additional \$514,000 to DR189 for Bonita Canyon environmental mitigation in the Fiscal Year 2012/2013 Capital Improvement Budget; and

WHEREAS, while processing plans for repairing the gabion structure with the Resource Agencies, Staff applied for an emergency Regional General Permit No. 63 permit (RGP63) from the Army Corps of Engineers due the vulnerability of the current condition of the gabion structure and the threats of major storms; and

WHEREAS, on December 31, 2012, the Army Corps of Engineers granted the City a RGP63 permit to reinforce the gabion structure; and

WHEREAS, on January 4, 2013, upon obtaining City Manager's approval and upon soliciting three informal bids from contractors, staff retained Cass Construction, Inc. to perform Bonita Canyon Emergency Repair in accordance with provisions in Section 1009 of the City Charter; and

WHEREAS, Cass Construction, Inc. completed the emergency repair work on March 27, 2013. As result of completing the emergency work, the potential threat of injury and property damage has been averted due to the combined efforts of the Rick Engineering Team, City Staff, and the Resource Agencies; and

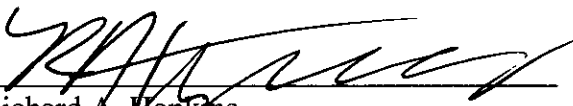
WHEREAS, the total cost of the repair work was \$190,543; and

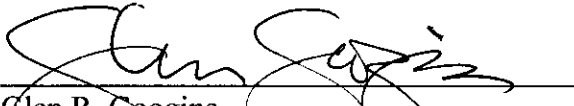
WHEREAS, staff will return to City Council at a later date to select a contractor and enter into a contract for subsequent mitigation work.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby ratify the contract between the City and Cass Construction, Inc. to perform the Bonita Canyon emergency repair work and does ratify the associated expenses in the amount of \$190,543.

Presented by

Approved as to form by


Richard A. Hopkins
Director of Public Works


Glen R. Googins
City Attorney

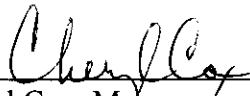
PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 28th day of May 2013 by the following vote:

AYES: Councilmembers: Bensoussan, Ramirez, Salas and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: Aguilar


Cheryl Cox, Mayor

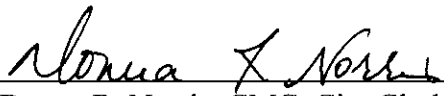
ATTEST:


Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2013-095 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 28th day of May 2013.

Executed this 28th day of May 2013.


Donna R. Norris, CMC, City Clerk