

RESOLUTION 25-4816

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA DECLARING AN EMERGENCY AND APPROVING THE EXECUTION OF PURCHASE ORDERS TO INVESTIGATE AND COMMENCE WORK TO REPLACE THE HAYES AVENUE BRIDGE AT MILLER CANYON CREEK WITHOUT NOTICE FOR BIDS PURSUANT TO CALIFORNIA PUBLIC CONTRACT CODE SECTIONS 1102, 20168, AND 22050

WHEREAS, after strong winter storms, on February 6, 2025, City of Murrieta (“City”) staff encountered a pothole in the deck of the Hayes Avenue Bridge crossing Miller Canyon Creek located generally between Ivy Street and B Street (“Bridge”), requiring the City to close the Bridge until further evaluation could be completed; and

WHEREAS, on February 11, 2025, a contractor retained by the City conducted a structural evaluation of the Bridge and determined that the Bridge is structurally deficient for fire truck access and needs to be replaced; and

WHEREAS, as additional winter storms pose further of damage to the Bridge; and

WHEREAS, the inability of fire trucks to cross the Bridge results in insufficient secondary fire access to portions of the City such that this unexpected occurrence poses a clear and imminent danger requiring immediate action to allow the City to continue providing fire truck access to all of its residents, which is an essential public service; and

WHEREAS, the closure of the Bridge constitutes an “emergency” as that term is defined in Public Contract Code § 1102; and

WHEREAS, pursuant to Public Contract Code §§ 20168 and 22050, contracts for emergency expenditures may be approved by the adoption, by a four-fifths vote, of a resolution declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property such that the City is authorized to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

WHEREAS, the City desires to use the process authorized by Public Contract Code § 22050 to immediately investigate and replace the Bridge; and

WHEREAS, the cost to investigate the condition of the Bridge and prepare recommendations for the repair of the Bridge was approximately \$15,905.92; and

WHEREAS, the estimated cost of engineering and environmental work necessary as a first step in replacing the Bridge is estimated to be approximately \$73,675 at this time; and

WHEREAS, this item must be reviewed every 60 days, until the emergency has ended, to ensure that the need to continue the action continues to exist.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The recitals above are true and correct and incorporated herein by this reference.

Section 2. The City Council finds that the facts set forth above constitute facts demonstrating that an emergency condition exists and that such emergency condition does not permit the delays which would result from a competitive solicitation for bids. The City Council further finds that the immediate replacement of the Bridge is necessary to respond to the emergency conditions.

Section 3. The City's City Manager or his designee is hereby directed to prepare purchase orders or contracts, subject to City Attorney approval, that will cause the needed investigation and engineering and environmental work to commence the process for replacement of the Bridge to be made for a not to exceed amount of \$89,580.92. The Public Works Director shall offer this contract to a qualified contractor for its immediate acceptance and the commencement of performance thereunder.

Section 4. The City Manager shall cause a report on the status of the emergency circumstances to be agendized at a City Council meeting every sixty days until either the City Council finds that the repair work has been completed or that the emergency conditions have ceased to be present.

Section 5. The City Clerk shall certify to the adoption of this Resolution.

PASSED AND ADOPTED this 18th day of March, 2025.

Cindy Warren, Mayor

ATTEST:

Cristal McDonald, City Clerk

APPROVED AS TO FORM:

Tiffany J. Israel, City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)§
CITY OF MURRIETA)

I, Cristal McDonald, City Clerk of the City of Murrieta, California, do hereby certify that the foregoing Resolution No. 25-4816 was duly passed and adopted by the City Council of the City of Murrieta at the regular meeting thereof, held on the 18th day of March, 2025, and was signed by the Mayor of the said City, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Cristal McDonald, City Clerk