

**RESOLUTION NO. 139-2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA  
APPROVING THE CONSTRUCTION SERVICES AGREEMENT BETWEEN  
THE CITY OF PACIFICA AND GRAY LAKE CONSTRUCTION FOR  
THE MANOR DRIVE STORM DRAIN REPAIR PROJECT, IN AN AMOUNT NOT TO EXCEED  
\$90,000 WITH A 30% CONTINGENCY, FOR A TOTAL OF \$117,000.**

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**WHEREAS**, On January 4, 2023, the City Manager, acting in his capacity as Director of Emergency Services, proclaimed the existence of a local emergency pursuant to PMC 4-2.05(a); and

**WHEREAS**, The President declared a major disaster for the State of California on January 14, 2023 as a result of the severe winter storms, flooding, landslides and mudslides that began on December 27, 2022; and

**WHEREAS**, the winter storm events, resulted in dangerous conditions and public safety concerns and caused damages all around the City; and

**WHEREAS**, the Manor Drive Storm Drain Repair Project will repair the pipe damaged during storm events; and

**WHEREAS**, time is of essence to construct the project before the storm season and the City Manager has requested waiving the bid process to allow for expediated construction; and

**WHEREAS**, City of Pacifica Municipal Code section 3-15.09, authorizes the City Manager to waive bidding requirements for urgent procurement if he/she determines sufficient justification exists; and

**WHEREAS**, the City will receive FEMA Public Assistance for the 2023 winter storm damages.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pacifica to Adopt the Resolution Approving the Construction Services Agreement between the City of Pacifica and Gray Lake Construction for the Manor Drive Storm Drain Repair Project, in an Amount Not to Exceed \$90,000 with a 30% Contingency, for a Total of \$117,000; and authorize the City Manager to execute all documents related to the project.

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**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Pacifica, California, held on the 27<sup>th</sup> day of November, 2023, by the following vote:

**AYES**, Councilmembers: *Beckmeyer, Bier, Bigstycyk, Bales.*

**NOES**, Councilmembers: *n/a*

**ABSENT**, Councilmembers: *Vaterlaus*

**ABSTAIN**, Councilmembers: *n/a*

*Tygarjas T. Bigstycyk*  
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Tygarjas Twyrls Bigstycyk, Mayor

ATTEST:

*Sarah Coffey*  
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Sarah Coffey, City Clerk

APPROVED AS TO FORM:

*Michelle Kenyon*  
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Michelle Kenyon, City Attorney