



CITY OF COMMERCE AGENDA REPORT

TO: Honorable City Council **Item No.** _____

FROM: City Manager

SUBJECT: Status Update on Site Declared by the City Council of the City of Commerce as an Emergency Requiring the Demolition of an Existing Hazard posed by City-owned Building at 6241 Telegraph Road; and Continued Authorization for Emergency Work

MEETING DATE: March 2, 2021

RECOMMENDATION:

The City Council will receive a report updating the City Council on the emergency work for the demolition of 6241 Telegraph Road, , and determine, by a four-fifths vote, that there is a need to continue the actions authorized by Resolution No. 21-17 for the emergency demolition work, pursuant to Public Contract Code Section 22050.

BACKGROUND:

On February 16, 2021, the City Council unanimously adopted Resolution No. 21-17 for the emergency work for the demolition of City-owned building at 6241 Telegraph Road, pursuant to Public Contract Code Section 22050. The approved actions included:

A. Adopt a Resolution, by a 4/5ths vote, declaring an emergency for the demolition of existing City-owned building at 6241 Telegraph Road, and making findings in support thereof.

B. By declaring an emergency, authorize and enable staff to bypass the regular bidding process and receive informal quotes, and approve the following related actions:

1. Authorize staff to commence with the necessary work for the demolition of existing City-owned building at 6241 Telegraph Rd.
2. Approve budget allocation of \$400,000 from Measure AA for preparation of bidding documents, project management, environmental haz-mat testing, and construction contingent upon appropriation of funds by Measure AA

Committee.

3. Authorize staff to advertise a bid package and issue a Notice Inviting Bids (NIB).
4. Authorize City Engineer, Transtech to proceed with the preparation of necessary bidding documents and provide necessary engineering, construction management, inspection, administration and coordination services on time and material basis per defined contract rate.
5. Authorize staff to retain one of the on-call environmental testing firm to perform haz-mat testing as required.
6. Approve Environmental Assessment as follows: The proposed project is categorically exempt pursuant to CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387), Article 19. Categorical Exemptions, Section 15301, Existing Facilities as a Class 1 paragraph (I) Demolition and removal of individual small structures listed in this subdivision.

Resolution No. 21-17 also authorized the City Manager, or his or her designee, the authority to order any action necessary to make the necessary repairs, and/or “take any directly related and immediate action required by that emergency, and procure necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.” (PCC §§ 22050(a)(1); 22050(b)(1)).

On Wednesday, February 24, 2021, staff conducted a non-mandatory walk-through with prospective bidders of the subject site. Thirteen prospective bidders were represented. Staff and our environmental consultant provided building details which included utilities, work areas, equipment staging information, hazardous material information, etc. Based on the walk-through and the feedback received during the walk-through, the draft bid package will be revised and ready for release on Monday, March 1, 2021. The bid period will be open for a minimum of fourteen (14) calendar days, which is required by the Public Contract Code, and is expected to close on March 17, 2021. Staff will provide additional updates at the next regularly scheduled meeting.

Public Contract Code Section 22050(c) requires that the City Council review the emergency action at its next regularly scheduled meeting following the adoption of Resolution No. 21-17 to determine, by a four-fifths vote, that there is a need to continue the action and take similar action at each regularly scheduled meeting thereafter until the emergency is terminated. It is recommended that City Council, by a four-fifths vote determine that there is a need to continue the actions authorized by Resolution No. 21-17 for the emergency work pursuant to Public Contract Code Section 22050(c).

ALTERNATIVES:

1. Approve staff recommendation
2. Disapprove staff recommendation
3. Provide further direction to staff

FISCAL IMPACT:

There is no fiscal impact for the current stage of the project. Staff will return to City Council once the bids are received and analyzed. At that time, the City Council will be able to ratify the contract awarded to the lowest responsible bidder.

RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to the 2016 Strategic Plan

Infrastructure and Facilities

Guiding Principle #4: Develop and invest in infrastructure and beautification projects that support economic growth.

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| Recommended by: | Daniel Hernandez, Director of Public Works |
| Approved as to form: | Norma Copado, Assistant City Attorney |
| Respectfully submitted by: | Edgar P. Cisneros, City Manager |