

BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

Resolution No. 707

Declaring that an Emergency Exists, Waiving the Competitive Bid Process and Authorizing a Sole Source Contract for the Immediate Abandonment of the Queen Road Water Main South of Cherry Road and Finding that the Project is Statutorily Exempt under the California Environmental Quality Act (CEQA"), Section 15269(b)(emergency repairs to publicly owned service facilities necessary to maintain service essential to public health, safety or welfare).

The Board of Directors of the Bolinas Community Public Utility District ("BCPUD" or "District") finds and determines as follows:

1. The District owns and maintains an extensive water distribution system that serves the Bolinas community with potable drinking water.
2. The District's distribution system extends throughout the Bolinas Gridded Mesa, as well as the Little Mesa, downtown and along Gospel Flats.
3. The Bolinas Gridded Mesa is vulnerable to bluff erosion as documented in the Bolinas Gridded Mesa Plan (page 14):

"The available data indicates that the section of the bluff above Bolinas Bay between Overlook Drive and Duxbury Point is falling away at an average rate of between 12 to 24 inches per year, and the ocean side bluff west of Duxbury Point is eroding at an average rate of nearly 30 inches per year. In any given location, slippage can be substantially greater or less than the average suggests.

"Although actual annual erosion tends to be episodic in nature – with annual losses of five to ten feet interspersed with more stable periods – the variations appear to be related to the relative wetness of winters. The failures experienced during the winter of 1982-83 clearly illustrate the potential for significant erosion along the bluff."

4. The District regularly monitors the security of its distribution infrastructure in proximity to the edge of the bluffs and, from time to time, the District undertakes projects to relocate and/or abandon sections of its distribution system in order to ensure the integrity of that system and a reliable water supply for the community.
5. The District has observed significant erosion in recent months of the bluff at the end of Queen Road south of its intersection with Cherry Road; the District has a 6-inch diameter high-pressure asbestos/concrete ("A/C") water main at this location that serves two customers.
6. The District's Chief Operator has determined that the District should take immediate action to abandon the Queen Road water main given its proximity to the eroding bluff, and install service lines originating from the water main in Cherry Road inside of the

abandoned 6-inch A/C water main in the Queen Road right-of-way to serve the two customers on this section of Queen Road.

7. The District's Chief Operator met with Piazza Construction to plan a project to abandon the Queen Road water main at this location and Piazza Construction is available to install this project on a time and materials basis; the District's Chief Operator recommends the District proceed with this project immediately on an emergency basis.
8. California Public Contract Code sections 1102 and 3400 permit the District to suspend competitive bidding where a particular material, product, thing or service is needed to respond to an emergency. As well, the District finds the emergency nature of this purchase warrants suspension of the competitive bid requirements under District Resolution 577, section II.D.1.b.
9. The prompt abandonment of the District's water main in the Queen Road right-of-way south of Cherry Road will help ensure the reliability of the District's water system and allow the District to continue to carry out its mission in a safe and efficient manner.

In consideration of the foregoing findings and determinations,

IT IS RESOLVED by the Board of Directors as follows:

- A. Based upon the preceding findings, the Board of Directors hereby declares that an emergency exists at the District's water main in the Queen Road right-of-way south of Cherry Road in the form of the proximity of this 6-inch diameter high-pressure A/C water main to the edge of the bluff, which has eroded significantly in the last several months. The Board of Directors further finds that this water main should be abandoned as soon as possible given the observed and on-going erosion.
- B. The Board further finds that the immediate installation of the project by Piazza Construction on a time and materials basis is fair and reasonable under the circumstances.
- C. Based upon the preceding findings, any applicable competitive bidding requirements for the Bolinas Community Public Utility District are hereby waived and the General Manager is authorized to engage Piazza Construction to perform the abandonment of the water main in the Queen Road right-of-way as soon as possible.
- D. The Board of Directors hereby finds that the abandonment of the water main in the Queen Road right-of-way is Statutorily Exempt from the provisions of the California Environmental Quality Act ("CEQA"), based on CEQA Guidelines, 14 C.C.R. section 15269 (b) (emergency repairs to publicly owned service facilities necessary to maintain service essential to the public health, safety or welfare).

E. This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Board of Directors of the Bolinas Community

Public Utility District this 15th day of March, 2023 by the following vote:

AYES: ALEXANDER GREEN, GODINO, MCELROY, SIEDMAN

NOES: NONE


ABSTAIN: NONE

ABSENT: WALKER



President, Board of Directors

attest:



secretary