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November 2, 2022

Sonoma-Marín Area Rail Transit Board of Directors
5401 Old Redwood Highway, Suite 200
Santa Rosa, CA 94954

SUBJECT: Approve a Resolution Authorizing the General Manager to Execute a Contract No. FR-ER-22-001 for the Brazos Bridge MP B38.97 Emergency Repairs

Dear Board Members:

RECOMMENDATION:

Approve Resolution No. 2022-37 authorizing the General Manager to execute a contract for emergency repairs to the Timber Trestle Bridge at Railroad Slough, MP-B38.97, for a total contract amount not to exceed \$425,000.

SUMMARY:

The timber trestle bridge at Railroad Slough, MP-B38.97, failed on Friday, October 28, 2022, when the SMART Freight Team was switching rail cars in Schellville. Fortunately, no one was injured, and the train was not damaged. The bridge is located at the south-end of the Schellville yard and spans a tidal drainage channel known as Railroad Slough. Several pile caps were crushed, and timber beams were split, rendering the bridge inoperable. The bridge is a critical link to the SMART main line and must be traveled over to serve freight customers in Petaluma. Given that this critical connection is required for SMART to fulfill its common carrier obligations, repair of this bridge must take place immediately.

Pursuant to Public Contract Code §22050, in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

SMART staff is developing an emergency repair contract and securing a contractor to make these emergency repairs. The work is estimated to cost between \$325,000 to \$425,000.

To authorize this emergency repair action, the Board must approve the following:

- 1) Make a finding that the emergency will not permit a delay resulting from a competitive solicitation for bids and that this action is necessary to respond to the emergency.

- 2) Authorize the General Manager to execute an emergency contract with a responsible contractor to perform these emergency repairs in an amount not to exceed \$425,000.

As required by Public Contract Code §22050, staff will provide an update on the status of this emergency action at the next Board of Directors Meeting.

FISCAL IMPACT: Bridge repair work is budgeted for in FY23 freight budget.

REVIEWED BY: [] Finance /s/ [] Counsel /s/

Very truly yours,

 /s/
Bill Gamlen, P.E.
Chief Engineer

Attachment(s): Resolution No. 2022-37

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT
AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR EMERGENCY BRIDGE
REPAIRS TO THE RAILROAD TIMBER TRESTLE BRIDGE AT RAILROAD SLOUGH, MP-B38.97**

WHEREAS, the Sonoma-Marín Area Rail Transit District (SMART) operates freight service between American Canyon and Petaluma; and

WHEREAS, SMART typical moves freight to customers in Petaluma two to three times per week; and

WHEREAS, a SMART owned railroad timber trestle bridge located at Railroad Slough at the south end of the Schellville yard (MP-B38.97) experienced damage rendering it impassable on October 28, 2022; and

WHEREAS, SMART cannot operate or serve its customers without the use of the timber trestle bridge at MP-B38.97; and

WHEREAS, the bridge must be repaired as soon as possible so SMART can continue its freight operations, maintain a critical connection to the interchange and the national railroad system, and continue to serve its freight customers;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF SMART HEREBY FINDS, DETERMINES, DECLARES, AND ORDERS AS FOLLOWS:

1. The forgoing Recitals are true and correct and are incorporated herein and form a part of this Resolution; and
2. The Board finds that under the emergency contracting procedures (Public Contract Code §22050) there is substantial evidence an emergency exists that will not permit a delay resulting from a competitive solicitation for bids, and that approval of an emergency contract is necessary to respond to the emergency; and
3. The Board, may by four-fifths vote, order the repair or replacement of a public facility, and take immediate action required by the emergency, including the need to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contract.
4. Authorize the General Manager to execute a contract to make emergency repairs to the Railroad Slough timber trestle bridge at MP-B38.97 for an amount not to exceed \$425,000.

Resolution No. 2022-37
Sonoma-Marín Area Rail Transit District
November 2, 2022

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Sonoma-Marín Area Rail Transit District held on the 2nd day of November 2022, by the following vote:

DIRECTORS:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Rabbitt, Chair, Board of Directors
Sonoma-Marín Area Rail Transit District

ATTEST:

Leticia Rosas-Mendoza, Clerk of Board of Directors
Sonoma-Marín Area Rail Transit District