

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ESTERO MUNICIPAL IMPROVEMENT DISTRICT AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR ON-CALL PUBLIC WORKS MAINTENANCE AND URGENT/EMERGENCY RESPONSE SERVICES; AUTHORIZING THE DISTRICT MANAGER TO EXECUTE MASTER SERVICE AGREEMENTS; AND FINDING THE ACTION EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTIONS 15061(B)(3), 15301 (CLASS 1-EXISTING FACILITIES), 15302 (CLASS 2-REPLACEMENT OR RECONSTRUCTION) AND 15269(B) (EMERGENCY REPAIR)

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

WHEREAS, the District's infrastructure is over fifty (50) years old and, although it is well maintained, is requiring increasing age-related maintenance and repair; and

WHEREAS, there are periodic needs for outside expert contractors to perform routine, urgent or emergency work that cannot be performed by District staff; and

WHEREAS, issuing an RFP for local contractors who are licensed to perform maintenance and repair of the District's water, wastewater, stormwater systems and roadways on an on-call basis will establish contractual relationships between the District and qualified contractors so that they can respond quickly and efficiently when work is necessary; and

WHEREAS, the intent of this RFP is to establish a pool of qualified contractors to provide maintenance and repairs to the District's essential infrastructure through a Master Service Agreement. When there is an urgent or emergency situation that requires the expertise and staffing of an outside contractor, District staff will identify the qualified contractor and secure their services through a Task Order for each separate project under the District Manager's signing authority; and

WHEREAS, Task Orders for work in an amount currently less than \$60,000, which limit may be increased to \$75,000 as of January 1, 2025, and additionally over the term of the agreements as allowed under the state Public Contracts Code and authorized by Board of Directors, can be authorized by the District Manager or their designee per the City's Purchasing Policy and Foster City Municipal Code;

WHEREAS, any public works projects over the District Manager's signing authority shall be subject to the informal bidding procedures identified in Foster City Municipal Code section 3.04.190 or the formal bidding procedures in 3.04.200, depending on the estimated cost of the project.

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Estero Municipal Improvement District does hereby:

1. Find the issuance of an RFP for On-Call Public Works Maintenance and Urgent/Emergency Response Services is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) under the common sense exemption as it can be seen with certainty that the approval of the RFP for On-Call Public Works Maintenance and Urgent/Emergency Response Services will not have a significant effect on the environment. Any maintenance or repair done through the Master Service Agreement/Task Order would also be exempt from review under CEQA Guidelines section 15301(Class 1-Existing Facilities) or 15302 (Class 2-(Replacement or Reconstruction) or 15269 (b) (Emergency Repair) as the repair services will involve repair of existing infrastructure located on the same site and for the same purpose; and
2. Approve the issuance of a Request for Proposal for On-Call Public Works Maintenance and Urgent/Emergency Response Services in a form substantially similar to the one attached to the Staff Report for this agenda item; and
3. Authorize the District Manager to execute Master Service Agreement(s) with qualified contractors based upon Staff's evaluation of submitted proposals. The Master Service Agreement(s) shall be in a form attached to the Request for Proposal, with minor amendments that may be made by the District Manager and District Attorney.

PASSED AND ADOPTED as a resolution of the Board of Directors of the Estero Municipal Improvement District at the regular meeting held on October 21, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PATRICK SULLIVAN, PRESIDENT

ATTEST:

PRISCILLA SCHAUS, DISTRICT SECRETARY