



May 5, 2025

Mr. Jesse Clark
General Manager
Reclamation District No. 2035
Via email: jesse@rd2035.org

Subject: Recommendation to Proceed Without Competitive Bidding for Emergency Repairs to Road 27 Pump Station

Dear Mr. Clark,

I am writing to recommend that Reclamation District No. 2035 proceed with the immediate restoration of the Road 27 Pump Station without advertising for competitive bids, in accordance with Section 3010.60 of the District's Policy Handbook. This recommendation is based on the urgent and emergency nature of the required work.

As you are aware, the recent failure of the Road 27 Pump Station has significantly compromised the District's flood protection infrastructure. With the start of the flood season rapidly approaching November 1, 2025, immediate corrective action is essential to protect the integrity of the levee system, prevent further damage, reduce risks to public safety, and maintain protection for the land and property safeguarded by the West Levee of the Yolo Bypass.

Adhering to the standard competitive bidding process would delay the project by at least two to three months, due to the time needed to prepare bid documents, conduct site visits for prospective contractors, and advertise for bids. Such a delay would postpone the proposed work until after the upcoming flood season, creating an unacceptable risk under current conditions.

Section 3010.60(a) of the District's Competitive Bidding Policy provides that "in the event of any emergency, the Board may negotiate and award a contract for construction of work to prevent damage or repair damaged works without advertising for bids and expend any sum reasonably required in the emergency." Given the severity of the situation, and the fact that the District formally declared an emergency on February 20, 2025, via Resolution No. 2025-001 (attached), this provision clearly applies. Additionally, RD 2035 has submitted a request to the Central Valley Flood Protection Board to authorize the emergency work under their regulations, and we expect their approval shortly.

To the extent practicable under these emergency conditions, the District should still seek informal bids or proposals to obtain the best possible terms, including competitive pricing, as outlined in Section 3010.60(b). All actions taken should be thoroughly documented, including the basis for contractor selection, contract terms, and a summary of the emergency circumstances. This documentation should

be retained in the District's contract files in compliance with both District policy and applicable state requirements.

Once the emergency repairs are complete and the immediate threat has been mitigated, any subsequent reconstruction or rehabilitation should follow the standard competitive bidding procedures as required by Section 3010.60(c).

Thank you for your attention to this critical matter. Please let me know if you need any further information or assistance to implement this recommendation.

Sincerely,



Jay S. Punia, PE
District Engineer
Wood Rodgers, Inc.

Attachment:

Emergency Declaration Resolution No._2025-001

CC:

Mr. John Davids, Davids Engineering Inc.

Mr. Eric Robinson, Kronick Moskowitz Tiedemann & Girard

**RESOLUTION OF THE BOARD OF TRUSTEES
OF RECLAMATION DISTRICT NO. 2035
Emergency Declaration**

RESOLUTION No. 2025-001

Upon special notice to and consent by the Trustees of Reclamation District No 2035, of the County of Yolo, State of California, an emergency meeting of the Board of Trustees was held telephonically on February 20, 2025, at 9:30 a.m. The Board agrees that an emergency situation exists that requires immediate action by the District.

EMERGENCY DECLARATION

WHEREAS, the Trustees of Reclamation District RD 2035 have considered the condition of the District Levees and the potential risk of general operation at the expense of public safety and agricultural production (see attached chronology of events associated with the RD 2035 Pump 27 Failure and its impact on the West Levee of the Yolo Bypass); and

WHEREAS, the West Levee of the Yolo Bypass does not provide the required level of protection due to the damage it sustained due to the pump 27 failure; and

WHEREAS, the District will continue to experience a threat to the levee due to the failure of Pump 27 throughout the flood season (November 1 to April 15); and

WHEREAS, after consultation with the District General Manager and District Engineer, the District finds and declares that an emergency situation arose on February 11, 2025, that is continuing and that all necessary and required work to protect the District and the District's levees should be completed at the earliest possible date; and

WHEREAS, Sections 20926 and 22050 of the Public Contract Code and District Policy No. 3010.60 authorize the District to negotiate and enter into contracts without advertising for or noticing bids under emergency circumstances. Section 22050 of the Public Contract Code specifically references the District's authority to repair or replace any public facility, take any directly related and immediate action required by the emergency and procure the necessary equipment, services and supplies, without giving notice to bid, upon a two-thirds vote by the District's three member Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Trustees of the Reclamation District No.2035, as follows:

1. As of February 11, 2025, and continuing to present an emergency situation exists within the District and along the District's levees that requires the District to proceed immediately with the work to prevent the possible flooding of the District and the failure of its levees at the earliest possible time.
2. That the District's General Manager shall serve as Incident Commander for the RD 2035 Pump 27 Failure in 2025, as provided in the District's Flood Safety Plan and as set forth in the Delegation of Authority Letter executed by the General Manager on

February 19, 2025.

3. That the District President and General Manager/Incident Commander be hereby authorized and directed to acquire such materials and equipment and to enter into contracts necessary and appropriate to meet the emergency needs of the District in accordance with the Flood Safety Plan.

CERTIFICATION

AYES: 3
NOES: 0
ABSTAIN: _____
ABSENT: _____

I, Kyriakos Tsakopoulos, President and trustee for Reclamation District No. 2035 (District) do hereby certify that the above is a true and correct copy of the resolution which the Board of Trustees of the District adopted on February 20, 2025.

Executed on February 20 2025, in Woodland, California.



District Board President