



MEMORANDUM

FC 14 (08-21-19)

TO: Norma J. Camacho
Chief Executive Officer

FROM: Nina Hawk
Chief Operating Officer
Water Utility Enterprise

SUBJECT: Emergency Declaration to Repair Milpitas
Pipeline Pursuant to Public Contract Code
§22050

DATE: March 16, 2020

The purpose of this memorandum is to formally request that you as the Santa Clara Valley Water District (Valley Water) Chief Executive Officer (CEO) immediately declare an emergency pursuant to California Public Contract Code §22050 and Valley Water Resolution 05-67 to enable immediate repair of the Milpitas Pipeline (MPL) in the City of San Jose, California. This emergency declaration will exempt Valley Water from undergoing competitive bidding requirements to procure the necessary equipment, supplies, non-professional services, and public works to attend to the emergency action described in this memorandum.

The current condition of the MPL poses an emergency condition as the pipeline supplies essential drinking water to the Milpitas area has developed a serious and impactful leak. This pipeline failure is causing significant localized damage to, and subsidence of, the roadway structure under the southbound travel way of North Capitol Avenue, a highly traveled traffic corridor. Per California Public Contract Code §1102, an emergency is "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

Background

The MPL consists of approximately five (5) miles of 42-inch diameter welded steel pipe. The pipeline was originally constructed in three major stages in the early 1990s. Several segments of the pipeline have been relocated since its original construction to accommodate other agencies' infrastructure improvement projects. The MPL is used to supply treated water to Valley Water's North San Jose and Milpitas service areas. In addition, the MPL is Valley Water's sole connection to the San Francisco Public Utilities Commissions (SFPUC) intertie facility. This supply line is important because it provides redundancy to the East Side treated water transmission system.

In 2001, a 1300-foot long segment of the MPL in the southbound travel way of North Capitol Avenue between Highway 680 and Cropley Avenue was relocated to accommodate Valley Transportation Agency's (VTA) Light Rail System. Forty-Two (42) inch full diameter hot-taps were used at both ends of the relocated segment to tie back into the original pipeline. In 2013, the hot-tap valve body on the south end of the relocated segment failed, began leaking and required an emergency repair. Based off preliminary investigations, this current leak appears to be located directly over the hot tap on the north end of the relocated segment. The current leak, the apparent roadway failure characteristics, and their relative proximities to the hot-tap assembly are very similar in nature to those of the 2013 event.

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Potential Consequences

Potential consequences of keeping the MPL in service with the leak in this location include:

- a. Physical damage to adjacent infrastructure (i.e.: roadway structure, light rail tracks, other buried utilities, etc.);
- b. Negative impacts to and disruption of a highly traveled major traffic corridor;
- c. Potential impacts to motorists driving over the subsidence along this major traffic corridor;
- d. Negative impacts to the environment due to the treated water release;
- e. Significant risk to Valley Water's ability to provide treated water to the Milpitas service area; and
- f. Significant risk to Valley Water's ability to either provide or receive water from the SFPUC Intertie facility.

Potential consequences of a prolonged outage to isolate and repair the MPL in this location include:

- a. Inability to meet treated water supply allotments to the Milpitas service area;
- b. Valley Water will lose the SFPUC Intertie redundancy to the East Side treated water transmission system; and
- c. Valley Water will lose the ability to support the SFPUC Intertie.

Based on the current leak and the associated risk, Valley Water cannot currently keep this pipeline in safe and reliable service unless repairs to the leak are promptly performed. Failure to keep this pipeline in safe and reliable service will pose a significant risk to Valley Water's ability to provide sufficient water to meet minimum water supply demands in the Milpitas service areas and to both access and support the SFPUC Intertie should there be a need.

Recommendations

Staff recommends a Declaration of Emergency be issued so that immediate action can be taken to complete all work activities related to the repair of structurally compromised pipe on the Milpitas Pipeline. Based on the substantial evidence detailed above, I recommend that you officially declare that an emergency situation exists as defined by the California Public Contract Code §1102. If you agree with this recommendation, please indicate concurrence by signing below.

 3/16/2020

Nina Hawk
Chief Operating Officer
Water Utility Enterprise
Approved by Electronic Signature

Concur:



Norma J. Camacho
Chief Operating Officer

District Counsel:

 3-16-20

Leslie Orta
Senior Assistant District Counsel

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