

Mayor and Council Communication

DATE: 08/24/21

M&C FILE NUMBER: M&C 21-0626

LOG NAME: 60RATIFY EMERWMP REPAIR-JCL-TXBIT-PEACHT

SUBJECT

(ALL) Ratify Emergency Contract with Jackson Construction, Ltd., Texas Material Group, Inc. dba Texas Bit and Peachtree Construction, Ltd. in the Final Amounts of \$907,794.69, \$819,342.90 and \$662,950.44 respectively for Emergency Pavement Repair Work Subsequent to Water Main Repair Performed for the February 2021 Deep Freeze Weather Event and Adopt Attached Appropriation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Ratify emergency agreements with: Jackson Construction, Ltd. – City Secretary Contract No. 55369, in the amount of \$907,794.69, Texas Materials Group, Inc. dba Texas Bit – City Secretary Contract No. 55342, in the amount of \$819,342.90 and Peachtree Construction, Ltd. – City Secretary Contract No. 55354, in the amount of \$662,950.44 for emergency pavement repair work performed for the February 2021 deep freeze weather event; and
2. Adopt the attached appropriation ordinance increasing receipts and appropriations in the Water and Sewer Capital Project Fund in the amount of \$907,794.69 for the Emergency Pavement Repair Ratify Jackson project (City Project No. 103393), in the amount of \$819,342.90 for the Emergency Pavement Repair Ratify Texas Bit project (City Project No. 103394), and in the amount of \$662,950.44 for the Emergency Pavement Repair Ratify Peachtree project (City Project No. 103395) for a total amount of \$2,390,089.00 transferred from available funds within the Water and Sewer Fund.

DISCUSSION:

The emergency work performed provided for the pavement repair in areas where emergency water main breaks were repaired during the deep freeze event in Texas that commenced on February 14, 2021 and lasted for several days. It was beyond the City’s ability as well as those of on-call emergency contractors to handle the volume of pavement repairs required following the water main break repairs. Using emergency contracting procedures, the Water Department engaged Jackson Construction, Ltd., Texas Materials Group, Inc. dba Texas Bit and Peachtree Construction, Ltd. to assist with the pavement repairs subsequent to water main repairs.

Under emergency authorization, City Secretary Contract Nos.: 55369, Jackson Construction, Ltd. (City Project No. 103393), 55342, Texas Materials Group, Inc. dba Texas Bit (City Project No. 103394) and 55354, Peachtree Construction, Ltd. (City Project No. 103395), were awarded for the emergency work each in an amount up to \$750,000.00. Contract 55369 was subsequently amended to provide for additional work performed by Jackson Construction, Ltd and Contract 55342 was subsequently amended to provide for additional work performed by Texas Materials Group, Inc. dba Texas Bit. The total construction cost for these three contracts was \$2,390,089.00, which is fair and reasonable for the work performed. Upon ratification of these contracts, staff will close them out.

Section 252.022 of the Local Government Code exempts from normal bidding requirements that are necessary to preserve or protect public health or safety of the municipality’s residents and procurements that are necessary because of unforeseen damage to public machinery, equipment or property.

Appropriations for emergency repair contracts 55369, 55342 and 55354 are depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
W&S Capital Projects - Fund 56002	\$0.00	\$2,390,089.00	\$2,390,089.00
Project Total	\$0.00	\$2,390,089.00	\$2,390,089.00

*Numbers rounded for presentation purposes.

These projects are located in ALL COUNCIL DISTRICTS

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Water & Sewer Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the W&S Capital Projects Fund for the Emer Pave Repair Ratify

JCL, Emer Pave Repair Ratify TB and Emer Pave Repair PTC projects to support the approval of the above recommendations and ratification of the agreements. Prior to any expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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Expedited