

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/25/24M&C FILE NUMBER: M&C 24-0606

LOG NAME: 60RATIFY EMERWMAIN REPAIR UPRR TRACKS-CIRCLEC

SUBJECT

(CD 11) Ratify the Emergency Contract with William J. Schultz, Inc. dba Circle C Construction Company for Emergency Water Main Repair Underneath Union Pacific Railroad Tracks in the Final Amount of \$700,107.00 and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2024-2028 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Ratify the emergency agreement with William J. Schultz, Inc. dba Circle C Construction Company (City Secretary Contract No. 61133), for Emergency Water Main Repair Union Pacific RailRoad Ratify CIRCLE C project (City Project No. 105478) in the final amount of \$700,107.00; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$700,107.00, transferred from available PayGo funds within the Water and Sewer Fund, for the purpose of funding the Emergency Water Main Repair Union Pacific RailRoad Ratify CIRCLE C project (City Project No. 105478) and to effect a portion of Water's contribution to the Fiscal Years 2024 -2028 Capital Improvement Program.

DISCUSSION:

The attached City Manager Memo dated February 21, 2024 authorized City Secretary Contract No. 61133, effective March 18, 2024, for the emergency work up to \$600,000.00. Contract 61133 was subsequently revised by one change order for increased work scope, which was approved on April 16, 2024. The total construction cost was \$700,107.00, which is fair and reasonable for the work performed. Upon ratification of this contract, this project is completed and is ready to close.

The work performed provided emergency water main repair underneath Union Pacific Railroad Tracks at the intersection of Cold Springs Road and N. Hampton Road. To perform these emergency repairs, William J. Schultz, Inc. d/b/a Circle C Construction was engaged to conduct the repair of the water main.

In an emergency situation, waiting to bid and award a construction contract to perform this work is not in the best interest of the health and safety of the citizens of the City of Fort Worth. Section 252.022 of the Local Government Code exempts from normal bidding requirements expenditures 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.

It is the practice of the Water Department to appropriate its CIP plan throughout the Fiscal Year, instead of within the annual budget ordinance, as projects commence, additional funding needs are identified, and to comply with bond covenants. The actions in the M&C will appropriate funds in support of the Water's portion of the City of Fort Worth's Fiscal Years 2024-2028 Capital Improvement Program, as follows:

60RATIFY EMERWMAIN REPAIR UPRR, TRACKS - CIRCLEC

| Capital Fund Name | Project Name | FY2024CIP Appropriations | Authority | Budget Change (Increase/ Decrease) | Revised FY2024 Budget |
|---|--------------------------------------|--------------------------|-----------|------------------------------------|-----------------------|
| Fund 56002 - Emer WM W&S Capital Projects | 105478 Emer WM Rep UPRR Ratify CIR C | \$0.00 | This M&C | \$700,107.00 | \$700,107.00 |

Funding is budgeted in the Transfer to Water/Sewer account of the Water & Sewer Fund for the purpose of funding the Emer WM Rep UPRR Ratify CIR C project within the Water & Sewer Capital Projects Fund.

FY2024 – Water PayGo Appropriations per City Ordinance 26453-09-2023

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| | FY2024 Amended | | | |
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