

Mayor and Council Communication

DATE: 04/11/23

M&C FILE NUMBER: M&C 23-0256

LOG NAME: 6018SSEMERCONCO2-CIRCLEC

SUBJECT

(ALL) Authorize Execution of Change Order No. 2 in the Amount of \$312,215.00 to the Sanitary Sewer Emergency Response Contract 2018 with William J. Schultz, Inc. dba Circle C Construction Company to Fund Emergency Work Ordered Under the Contract and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

RECOMMENDATION:

1. Authorize execution of Change Order No. 2 in the amount of \$312,215.00, to City Secretary Contract No. 52751, with William J. Schultz, Inc. dba Circle C Construction Company for the Sanitary Sewer Emergency Response Contract 2018 project to fund emergency work ordered under the contract; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$312,215.00 transferred from available funds within the Water and Sewer Fund, for the purpose of funding the Sanitary Sewer Emergency Response Contract 2018 Project (City Project No. 102082) and to effect a portion of Water’s contribution to the Fiscal Years 2023-2027 Capital Improvement Program.

DISCUSSION:

On August 20, 2019, Mayor and Council Communication (M&C) 19-0047 the City Council authorized the execution of a contract in the amount of \$1,250,000.00, with William J. Schultz, Inc. dba Circle C Construction Company, for the Sanitary Sewer Emergency Response Contract 2018 (City Secretary Contract No. 52751) and provided for the option of two renewals.

On June 2, 2020, M&C 20-0376 the City Council authorized Change Order No. 1 in the amount of \$170,420.00 which provided for additional emergency repairs and the first renewal in the amount of \$1,250,000.00 to the Sanitary Sewer Emergency Response Contract 2018 with William J. Schultz, Inc. dba Circle C Construction Company.

On April 12, 2022, M&C 22-0286 authorized the second renewal in the amount of \$1,250,000.00 to Sanitary Sewer Emergency Response Contract 2018 with William J. Schultz, Inc. dba Circle C Construction Company.

One of several emergency work orders recently issued under Renewal No. 2 included one for the emergency replacement of a severely deteriorated public sanitary sewer main located within an easement between Hamilton Avenue and West Fourth Street / Potomac Avenue. Change Order No. 2 is necessary to add funding in the amount of \$312,215.00 to the contract sufficient to complete this work.

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 2023-2027 Capital Improvement Program, as follows:

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Capital Fund Name	Project Name	FY2023 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2023 Budget
Fund 56002 - W&S Capital Projects	102082 – 2018-SS Emergency Response Contract	\$0.00	This M&C	\$312,215.00	\$312,215.00

Funding is budgeted in the Transfer to Water/Sewer account of the Water operating budget for the purpose of funding the W&S Capital Projects for 2018-SS Emergency Response project within the Water & Sewer Capital Projects Fund.

This project will have no impact on the Water Department’s operating budget when completed.

Appropriations for 2018 SS Emergency Response project are as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
W&S Capital			

Projects - Fund 56002	\$4,670,420.00	\$312,215.00	\$4,982,635.00
Project Total	\$4,670,420.00	\$312,215.00	\$4,982,635.00

***Numbers rounded for presentation purposes.**

Business Equity: William J. Schultz, Inc. dba Circle C Construction agrees to maintain its initial M/WBE commitment of four percent that it made on the original contract and extend and maintain that same M/WBE commitment of four percent to this second change order. Therefore William J. Schultz, Inc. dba Circle C Construction remains in compliance with the City's M/WBE Ordinance and attests to its commitment by its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

This project is located in ALL COUNCIL DISTRICTS.

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 2018-SS Emergency Response project. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

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