

# Mayor and Council Communication

**DATE:** 09/27/22

**M&C FILE NUMBER:** M&C 22-0751

**LOG NAME:** 60M-545 EMERGENCYREPAIR-CIRCLEC

**SUBJECT**

(CD 2) Adopt Appropriation Ordinance in the Amount of \$1,000,000.00 for M-545 Repair Project for Emergency Repair and Effect a Portion of Water's Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$1,000,000.00, transferred from available funds within the Water and Sewer Fund, for the purpose of funding the M-545 Emergency Repair project (City Project No. 104349) and effect a portion of Water's contribution to the Fiscal Years 2022-2026 Capital Improvement Program.

**DISCUSSION:**

A segment of Sanitary Main M-545 upstream of a siphon crossing off the West Fork Trinity River has completely disintegrated, resulting in a sink hole and emergency action was taken to immediately replace it to prevent sanitary sewer discharge into Trinity River.

Under an emergency authorization memorandum of August 30, 2022, William J. Schultz, Inc. dba Circle C Construction Company (Circle C) was engaged for replacement of the disintegrated pipe section in the amount of \$1,000,000.00 (City Secretary Contract No. 58066).

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.

The purpose of this Mayor and Council Communication (M&C) is to secure funding to compensate Circle C for work performed and to speed up the project closeout process.

This project will have no impact on the Water Department's operating budgets when completed.

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 2022-2026 Capital Improvement Program, as follows:

**60M-545 EMERGENCYREPAIR-CIRCLEC**

Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2022 Budget
56002 - W&S Capital Projects Fund	104349 – M-545 Emergency Repair	\$0.00	This M&C	\$1,000,000.00	\$1,000,000.00

Funding is budgeted in the Transfer to Water/Sewer account of the Water and Sewer operating budget for the purpose of funding the M-545 Emergency Repair project within the Water & Sewer Capital Projects Fund.

Appropriations for M-545 Emergency Repair project are as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
W&S Capital Projects - Fund 56002	\$0.00	\$1,000,000.00	\$1,000,000.00
<b>Project Total</b>	<b>\$0.00</b>	<b>\$1,000,000.00</b>	<b>\$1,000,000.00</b>

\*Numbers rounded for presentation purposes.

This project is located in COUNCIL DISTRICT 2.

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

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the Water & Sewer Fund and upon approval of the above recommendation and adoption of the attached appropriation ordinance, funds will be available in the W&S Capital Projects Fund for the M-545 Emergency Repair project. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

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Expedited