

Mayor and Council Communication

DATE: 05/09/23

M&C FILE NUMBER: M&C 23-0355

LOG NAME: 60RATIFY NTP/IH35W 16INCH WATER EMERGENCY REPAIR-CONATSER

SUBJECT

(CD 7 / Future CD 7) Ratify Emergency Contract with Conatser Construction TX, LP in the Final Amount of \$513,142.22 for North Tarrant Parkway/Interstate Highway 35W 16 Inch Emergency Repair Project Located at the North Tarrant Parkway/Interstate Highway 35W Intersection

RECOMMENDATION:

It is recommended that the City Council ratify an Emergency Contract with Conatser Construction TX, LP - City Secretary Contract No. 57500 in the amount of \$513,142.22 for emergency water repair work performed at the North Tarrant Parkway/Interstate Highway 35W 16 Inch Emergency Repair project (City Project No. 104358).

DISCUSSION:

On January 21, 2022 the Water Department was informed by North Tarrant Infrastructure, LLC (NTI), the Design-Build Contractor for the North Tarrant Express Segment 3C project on Interstate Highway (IH)-35W, of a possible leak on the existing 16-inch water main, south of North Tarrant Parkway, crossing IH-35W. The leak materialized on IH-35W just south of Heritage Trace Blvd. between the southbound frontage road and southbound freeway lanes and pooled on the freeway lanes backing up traffic to the Alliance Airport area. Water Field Operations used a pump to attempt to clear the ponding but it had difficulty keeping up with the amount of water leaking from the transmission main. Until this incident, this 16-inch water transmission main, installed in 2005, which serves not only residents but also area customer cities, including Westlake, Keller, and Southlake, had not experienced any maintenance issues.

Water Field Operations investigated multiple locations of possible leaks within and outside the IH-35W corridor and determined that the leaks were all emanating from within the IH-35W corridor in areas where NTI was performing significant work. The line was taken out of service to minimize the amount of water loss as well as to prevent further pooling in the active southbound lanes of IH-35W.

It was beyond the ability of the Water Department's Field Operations crews to handle leak(s) of this magnitude. Using emergency contracting procedures, the Water Department engaged Conatser Construction, TX LP (City Project No. 104358) in the amount of \$2,000,000.00 to conduct the necessary repairs. NTI has denied responsibility for the damaged water main. Staff will seek reimbursement from NTI after ratification of the contract.

On September 27, 2022, Mayor and Council Communication (M&C) 22-0743 the City Council adopted an appropriation ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$2,000,000.00, transferred from available funds within the Water and Sewer Fund, for the purpose of funding the Emergency Water Main Repair Work performed at the North Tarrant Parkway/Interstate Highway 35 intersection.

This Mayor and Council Communication is to ratify an emergency contract with Conatser Construction TX, LP in the final amount of \$513,142.22 for Emergency Water Main Repair Work performed at the North Tarrant Parkway/Interstate Highway 35 intersection.

The total construction cost for the contract is \$513,142.22, which is fair and reasonable for the work performed. Upon ratification of the contract staff will close it 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.

Funding is budgeted in the W&S Capital Projects Fund for the purpose of funding the NTP / I-35 16" Emer Repair project as appropriated.

This project is located in COUNCIL DISTRICT 7 and FUTURE COUNCIL DISTRICT 7.

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 available in the current capital budget, as previously appropriated, in the W&S Capital Projects Fund for the NTP / I-35 16" Emer Repair project to support the approval of the above recommendation and award of the contract. 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

Originating Business Unit Head: Chris Harder 5020

Additional Information Contact: Tony Sholola 6054