

Mayor and Council Communication

DATE: 05/09/23

M&C FILE NUMBER: M&C 23-0352

LOG NAME: 60TCWSC EMERSEWER REPAIR-CIRCLEC

SUBJECT

(CD 4 / Future CD 4 and Haltom City) Ratify an Emergency Contract with William J. Schultz, Inc. dba Circle C Construction Company in the Final Amount of \$239,040.62 for Emergency Sanitary Sewer Repair Work Performed on Tarrant County Water Supply Corporation Sanitary Sewer Main near 6200 W Broadway Avenue, Haltom City and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Ratify emergency agreement with William J. Schultz, Inc. dba Circle C Construction Company – City Secretary Contract No. 58645, in the amount of \$239,040.62 for emergency sanitary sewer repair work performed on Tarrant County Water Supply Corporation Sanitary Sewer Main; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$239,040.62 transferred from available funds within the Water and Sewer Fund for the purpose of funding the Tarrant County Water Supply Corporation Emergency Sewer Repair Project (City Project No. 104807) and to effect a portion of Water’s contribution to the Fiscal Years 2023-2027 Capital Improvement Program.

DISCUSSION:

The emergency work performed provided for the replacement of a collapsed segment of the Tarrant County Water Supply Corporation (TCWSC) sanitary sewer main in the vicinity of 6200 W. Broadway Avenue, Haltom City. Per the terms of an agreement between the Cities of Richland Hills, North Richland Hills, Fort Worth and Haltom City (City Secretary Contract No. 40078), Fort Worth is responsible for the repair and maintenance of the TCWSC line on behalf of the partner cities, including in emergency situations. To perform these emergency repairs, William J. Schultz, Inc. d/b/a Circle “C” Construction was engaged to repair the main.

The attached City Manager Memo dated December 14, 2022 authorized City Secretary Contract No. 58645, for the emergency work up to \$450,000.00. The total construction cost was \$239,040.62, which is fair and reasonable for the work performed. Upon ratification of this contract, this project is completed and is ready to close.

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 or of the partners to the contract (City Secretary Contract No. 40078). 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 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 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	104807 - TCWSC Emer Sewer Repair	\$0.00	This M&C	\$239,040.62	\$239,040.62

Funding is budgeted in the Transfer to Water/Sewer account of the Water operating budget for the purpose of funding the TCWSC Emer Sewer Repair project within the Water & Sewer Capital Projects Fund.

Appropriations for emergency repair work performed on TCWSC Sanitary Sewer Main are as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
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W&S Capital Projects - Fund 56002	\$0.00	\$239,040.62	\$239,040.62
Project Total	\$0.00	\$239,040.62	\$239,040.62

*Numbers rounded for presentation purposes.

This project is located in COUNCIL DISTRICT 4 and FUTURE COUNCIL DISTRICT 4 and HALTOM CITY.

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 TCWSC Emer Sewer 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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