

Mayor and Council Communication

DATE: 08/04/20

M&C FILE NUMBER: M&C 20-0503

LOG NAME: 23LPST 95012 SITE REMEDIATION

SUBJECT

Authorize the Execution of Amendment No. 4 with Enercon Services, Inc. in the Amount Not to Exceed \$2,071,550.20, Extend the Existing Contract Agreement for Two (2) Additional Terms, and Adopt Appropriation Ordinances (COUNCIL DISTRICT 2)

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the execution of Amendment No. 4 to City Secretary Contract No. 48169 with Enercon Services, Inc. (Enercon), increasing the total amount of this contract to not to exceed \$2,071,550.20 in support of the soil and groundwater remediation located at 2500 Brennan Avenue;
2. Authorize the extension of City Secretary Contract No. 48169 for two (2) additional years beginning September 20, 2021 and ending September 19, 2023 in order to facilitate the completion of this remediation project;
3. Adopt the attached appropriation ordinance adjusting receipts and appropriations in the Environmental Protection Capital Projects Fund by increasing receipts and appropriations in the Brennan Groundwater Remediation project in the amount of \$149,000 and decreasing receipts and appropriations in the Vehicles and Equipment-Solid Waste programmable project (City Project No. P00041) by the same amount;
4. Adopt the attached appropriation ordinance adjusting receipts and appropriations in the Environmental Protection Capital Projects Fund by increasing receipts and appropriations in the Brennan Groundwater Remediation project in the amount of \$18,827 and decreasing receipts and appropriations in the Transfer from Environmental Management CHG Description project (City Project No. C21501) by the same amount;
5. Adopt the attached appropriation ordinance adjusting receipts and appropriations in the Environmental Protection Capital Projects Fund by increasing receipts and appropriations in the Brennan Groundwater Remediation project in the amount of \$9,515 and decreasing receipts and appropriations in the Sycamore Creek Bacteria Management project (City Project No. 101140) by the same amount;
6. Adopt the attached appropriation ordinance adjusting receipts and appropriations in the Environmental Protection Capital Projects Fund by increasing receipts and appropriations in the Brennan Groundwater Remediation project in the amount of \$654,818 and decreasing receipts and appropriations in the Litter Abatement Equipment project (City Project No. 100191) by the same amount;
7. Adopt the attached appropriation ordinance adjusting receipts and appropriations in the Environmental Protection Capital Projects Fund by increasing receipts and appropriations in the Brennan Groundwater Remediation project in the amount of \$45,000 and decreasing receipts and appropriations in the Expanded Education – Captain Crud project (City Project No. 100600) by the same amount;
8. Adopt the attached appropriation ordinance adjusting receipts and appropriations in the Environmental Protection Capital Projects Fund by increasing receipts and appropriations in the Brennan Groundwater Remediation project in the amount of \$51,627 and decreasing receipts and appropriations in the Litter Prevention Education project (City Project No. 100601) by the same amount; and
9. Adopt the attached appropriation ordinance increasing receipts and appropriations in the Environmental Protection Capital Projects Fund by \$276,984 from available funds for the Brennan Groundwater Remediation project (City Project No. 100492).

DISCUSSION:

This Mayor and Council Communication (M&C) is authorizing Amendment No. 4 to City Secretary Contract No. 48169 with Enercon Services, Inc. (Enercon) in the amount not to exceed \$2,071,550.20. Authorizing the extension of the same contract for two (2) additional years and appropriating funds to complete the Brennan Avenue groundwater remediation.

On September 13, 2016, Mayor and Council Communication (M&C C-27903), authorized the City Council to approve a contract with Enercon Services, Inc., for environmental and engineering consulting services in support of environmental capital improvement projects to remediate soil and groundwater contamination in the amount of \$589,500.00. This original project specifically included the Brennan Avenue Groundwater Remediation Project.

In 2008, a fuel release at 2500 Brennan Avenue was reported to the TCEQ, and the City of Fort Worth initiated interim remedial response actions to minimize the impact to the environment. TCEQ ordered the City to address the environmental issues as identified in the LPST ID No. 95012 case filed against the City in August 2008. The City, has identified a remediation plan to satisfy TCEQ's concerns that should resolve this case.

This Amendment No. Four (4) will provide for additional time and funding for completing the necessary professional environmental engineering services and necessary corrective actions to achieve regulatory compliance and case closure from the TCEQ by extending the contract term by an additional 24 months.

The following table exhibits the funding strategy:

Environmental Protection Fund - Accounts Information

Total Appropriation Decrease

Total Appropriation Increase

EP – Capital Projects Fund (Vehicles and Equipment – Solid Waste)		\$149,000	
EP – Capital Projects Fund (Transfer from Environmental Management (CHG))		\$18,827	
EP – Capital Projects Fund (Sycamore Creek Bacteria Study)		\$9,515	
EP – Capital Projects Fund (Litter Abatement Equipment)		\$654,818	
EP – Capital Projects Fund (Expanded Education – Captain Crud)		\$45,000	
EP – Capital Projects Fund (Litter Prevention Education)		\$51,627	
EP – Capital Projects Fund (Unspecified)	just receipts no appropriations	\$276,984	
EP -Capital Projects Fund (Brennan Groundwater Remediation)			\$1,205,771
TOTAL		\$1,205,771	\$1,205,771

Enercon agrees to maintain its initial SBE commitment of 10% that it made on the original agreement and extend and maintain that same SBE commitment of 10% to this fourth amendment. Therefore Enercon remains in compliance with the City's BDE Ordinance and attests to its commitment by its signature on the Acceptance of Previous SBE Commitment form executed by an authorized representative of its company.

The Code Compliance Department - Environmental Quality Division staff have coordinated this project with staff from both Property Management and Police Departments.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Environmental Protection Capital Projects fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Environmental Protection Capital Projects fund for the Brennan Groundwater Remediation project to support the approval of the above recommendations and execution of the amendment and extensions. Prior to an expenditure being incurred, the Code Compliance Department has the responsibility of verifying the availability of funds.

Submitted for City Manager's Office by: Valerie Washington 6199

Originating Business Unit Head: Brandon Bennett 6322

Additional Information Contact: David B. Carson 6336