

Mayor and Council Communication

DATE: 08/27/24

M&C FILE NUMBER: M&C 24-0747

LOG NAME: 60RATIFY EMER SSM191AND182CROSSH20REPAIR-CIRCLEC-KHA

SUBJECT

(CD 5) Ratify Emergency Contracts with William J. Schultz, Inc. dba Circle C Construction Company and Kimley-Horn and Associates, Inc. in the Final Amounts of \$1,009,680.00 and \$150,000.00, Respectively, for Emergency Replacement Work on Sanitary Sewer Mains M-191 and M-182 Crossing Underneath East Loop 820 and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2024-2028 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council

1. Ratify City Secretary Contract No. 54419, an emergency agreement with William J. Schultz, Inc. dba Circle C Construction Company in the amount of \$1,009,680.00 for construction of the replacement work on Sanitary Sewer Mains M-191 and M-182 crossing underneath East Loop 820; and
2. Ratify City Secretary Contract No. 53549, an emergency agreement with Kimley-Horn and Associates, Inc. in the amount of \$150,000.00, for design of the replacement work on Sanitary Sewer Mains M-191 and M-182 crossing underneath East Loop 820; and
3. Adopt the attached appropriation ordinance increasing receipts and appropriations in the Water & Sewer Capital Projects Fund in the total amount of \$1,159,680.00, from available PayGo Residuals in the Water and Sewer Capital Projects Fund, for the purpose of funding the Sanitary Sewer Mains M-191 and M-182 crossing underneath East Loop 820 project (City Project No. 102947) and to effect a portion of Water's Contribution to the Fiscal Year 2024 - 2028 Capital Improvement Program.

DISCUSSION:

On January 16, 2020, Water Field Operations responded to two sanitary sewer overflows (SSOs) on M-191 which (along with M-181) crosses underneath East Loop 820 near Richardson Street. Follow up investigation revealed that both mains are severely deteriorated, which has significantly reduced capacity and hence the overflow.

To immediately address the situation, Circle C Construction was engaged to work on repairing the mains (City Secretary Contract No. 54419: \$880,000.00) and Kimley-Horn and Associates, Inc. was engaged to provide the necessary design (City Secretary Contract No 53549: \$120,000.00). City crews installed bypass pumping to temporarily resolve the SSO.

The initial design provided for boring and installing new lines under East Loop 820 within existing public right-of-way and/or easements. However, due to an unexpected conflict, easements were needed to be obtained in order to cross two properties. Easement acquisition took much longer than anticipated and was not resolved for a few months after which construction resumed to complete the emergency work. Additional design and construction efforts beyond the original scope were necessary to install the new sewer main under the freeway. See the attached supplemental memorandum dated September 8, 2020.

A change order and an amendment (in the amounts of \$130,000.00 and \$30,000.00 respectively) were processed for the contracts with Circle C Construction and Kimley-Horn and Associates, Inc. .

The total cost for both of these contracts was \$1,159,680.00 (\$1,009,680.00 for construction and \$150,000.00 for design), which is fair and reasonable for the work performed. Upon ratification of these contracts, staff will close them 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.

Appropriations for emergency repair contracts 54419 and 53549 are depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
W&S Capital Projects - Fund 56002	\$0.00	\$1,159,680.00	\$1,159,680.00
Project Total	\$0.00	\$1,159,680.00	\$1,159,680.00

*Numbers rounded for presentation purposes.

crossing underneath East Loop 820 project (City Project No. 102947)

This project was located in COUNCIL DISTRICT 5.

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 Unspecified-All Funds within the W&S Capital Projects 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 SS M-191/181 Emergency Repair project. Prior to an expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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