

Mayor and Council Communication

DATE: 09/27/22

M&C FILE NUMBER: M&C 22-0759

LOG NAME: 60EMER M-341REPAIR-FNI-CIRCLEC

SUBJECT

(CD 5) Adopt Appropriation Ordinance in the Amount of \$1,500,000.00 for Emergency M-341 Ratify FNI/CC Project for Emergency Repair Work for Sanitary Sewer Main M-341 Aerial Crossing 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 \$1,500,000.00, transferred from available funds within the Water and Sewer Fund, for the purpose of funding the Emergency M-341 Ratify FNI/CC project (City Project No. 104268) and effect a portion of Water’s contribution to the Fiscal Years 2022-2026 Capital Improvement Program.

DISCUSSION:

The aerial crossing of the 24-inch Sanitary Sewer Main M-341 over Boyd Branch, a tributary of the West Fork River, was determined to be in danger of collapsing and emergency action was taken to immediately replace it to prevent sanitary sewer discharge into the tributary and Trinity River.

Under an emergency authorization memorandum of May 4, 2022, William J. Schultz, Inc. dba Circle C Construction Company (Circle C) was engaged for replacement of the aerial crossing in the amount of \$1,250,000.00 (City Secretary Contract No. 57572) with emergency engineering/design in the amount of \$250,000.00 performed by Freese and Nichols, Inc. (FNI) under City Secretary Contract No. 57666. Staff has applied for a permit from the United States Army Corps of Engineers for the replacement of the aerial crossing.

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 both Circle C and FNI for work performed and to speed up the project closeout process.

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:

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| Capital Fund Name | Project Name | FY2022 CIP Appropriations | Authority | Budget Change (Increase/Decrease) | Revised FY2022 Budget |
|-----------------------------------|------------------------------------|---------------------------|-----------|-----------------------------------|-----------------------|
| 56002 - W&S Capital Projects Fund | 104268 – Emer. M-341 Ratify FNI/CC | \$0.00 | This M&C | \$1,500,000.00 | \$1,500,000.00 |

Funding is budgeted in the Transfer to Water/Sewer account of the Water and Sewer operating budget for the purpose of funding the Emer M-341 Ratify FNI/CC project within the Water & Sewer Capital Projects Fund.

Appropriations for Emer M-341 Ratify FNI/CC project are as depicted below:

| Fund | Existing Appropriations | Additional Appropriations | Project Total* |
|-----------------------------------|-------------------------|---------------------------|----------------|
| W&S Capital Projects – Fund 56002 | \$0.00 | \$1,500,000.00 | \$1,500,000.00 |
| Project Total | \$0.00 | \$1,500,000.00 | \$1,500,000.00 |

*Numbers rounded for presentation purposes.

This project is 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 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 Emer. M-341 Ratify FNI/CC 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

Originating Business Unit Head: Chris Harder 5020

Additional Information Contact: Tony Sholola 6054