



Legislation Details (With Text)

**File #:** 18-1683      **Version:** 2      **Name:** 10/15/18 - Emergency Purchase Order for Barton Dam Right Embankment Boil Repair

**Type:** Resolution      **Status:** Passed

**File created:** 10/15/2018      **In control:** City Council

**On agenda:** 10/15/2018      **Final action:** 10/15/2018

**Enactment date:** 10/15/2018      **Enactment #:** R-18-416

**Title:** Resolution to Ratify an Emergency Purchase Order to E.T. MacKenzie Co (\$30,000.00), and to Appropriate Funds of (\$72,000.00) for the Barton Dam Right Embankment Boil Repair. (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Legistar File 18-1683 - Financial Breakdown.pdf, 2. Amend2\_PSA\_NTH\_20180927.pdf, 3. EmergencyPOMemo\_signed\_September2018-BartonRightEmbankmentBoil.pdf

Date	Ver.	Action By	Action	Result
10/15/2018	2	City Council	Approved	Pass

Resolution to Ratify an Emergency Purchase Order to E.T. MacKenzie Co (\$30,000.00), and to Appropriate Funds of (\$72,000.00) for the Barton Dam Right Embankment Boil Repair. **(8 Votes Required)**

The attached resolution is to ratify an emergency purchase order, and to appropriate \$72,000.00 to repair an embankment boil at the Barton Dam.

On August 27, 2018, the City observed a sand boil on the Barton Dam right embankment. A sand boil is caused by upward seepage that results in material loss an earthen embankment.

The City notified the Federal Energy Regulatory Commission (FERC) of this situation and has been monitoring daily since the discovery. Three additional boils have manifested themselves in the same vicinity. The flow of water from beneath the embankment has continued to transport sand material to the surface.

The City issued an emergency purchase order because FERC considers this condition to warrant prompt abatement. The purchase order contractor, E.T. MacKenzie Co., will install a blanket filter over the boil, which will allow water to flow through, but will retain the embankment material. This is a typical response and the City and E.T. MacKenzie Co. have used it in the past. E.T. MacKenzie was available to begin work immediately.

The City requires additional work from NTH Consultants, Ltd, a geotechnical consultant that has been monitoring the embankment at Barton Dam over the past year. That work, to design and establish the limits for the blanket filter, will be around \$17,000.00, which exceeds the fund available on NTH Consultants, Ltd’s existing professional services agreement (\$234,800.00). This resolution therefore requests approval of Amendment No. 2 to that agreement to, among other things, raise its total to \$251,800.00.

Finally, an additional \$25,000.00 appropriation is requested for Stantec, which has been providing the daily monitoring of the boils and documenting the condition. Stantec will continue to provide the daily monitoring until the repairs are complete. Stantec will also be overseeing the construction of the blanket filter on behalf of the City.

Budget/Fiscal Impact: The total budget required is \$72,000.00, with a 50/50 split between the Water System Supply Fund and the General Fund. Funding for this work was not included in neither the approved FY19 Water Supply System Operating and Maintenance budget nor the FY19 General Fund Operating budget.

This resolution includes a recommended contingency of \$5,000.00 to cover potential contract change orders with E.T. MacKenzie Co. to be approved by the City Administrator if necessary.

Prepared by: Brian Steglitz, Water Treatment Services Unit

Reviewed by: Craig Hupy, Public Services Area Administrator

Approved by: Howard S. Lazarus, City Administrator

Whereas, A boil was discovered on Barton Dam's right embankment on August 27, 2018;

Whereas, Three additional boils have emerged in the vicinity for the first boil;

Whereas, Boil abatement will protect the integrity of the embankment;

Whereas, Abatement will involve installation of blanket filters;

Whereas, NTH Consultants, Ltd, Stantec and E.T. MacKenzie Co. designed and constructed a previous blanket filter at Barton Dam;

Whereas, the total estimated cost of the abatement is \$72,000.00, proportioned as NTH Consultants, Ltd (\$17,000.00), Stantec (\$25,000.00), and E.T. MacKenzie Co. (\$30,000.00);

Whereas, NTH Consultants, Ltd, Stantec and E.T. MacKenzie Co. comply with the requirements of the City's Living Wage and Non-Discrimination Ordinances;

Whereas, Funding was not included in the FY19 Water Supply System Operating and Maintenance Budget, nor in the General Fund Operations and Maintenance Budget for the proposed expenditures;

Whereas, Amendment 2 is required to accommodate the additional scope of service and fees for NTH Consultants, Ltd; and

Whereas, The City Administrator has authorized an Emergency Purchase Order for E.T. MacKenzie Co. for this work under Chapter 14, Section 1:316.

RESOLVED, That the City Council approves an appropriation of funds from the FY19 General Fund Operations and Maintenance Budget in the amount \$36,000.00;

RESOLVED, That the City Council approves an appropriation of funds from the FY19 Water Supply System Operating and Maintenance Budget in the amount \$36,000.00;

RESOLVED, That the City Council ratifies the emergency purchase order issued by the City

Administrator under Chapter 14, Section 1:316 of the Ann Arbor City Code to E.T. MacKenzie Co., in the amount of \$30,000.00, for the construction of the blanket filter;

RESOLVED, That Amendment No. 2 to the NTH Consultants, Ltd for \$17,000.00 be authorized for a total agreement amount of \$251,800.00;

RESOLVED, That City Council authorize a contract contingency amount of \$5,000.00 to cover potential change orders for the contract with E.T. MacKenzie Co.; and

RESOLVED, That the City Administrator be authorized to take necessary administrative action to implement this resolution, including approval of change orders up to the amount of the contract contingency.