



## Legislation Text

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**File #:** 12-0513, **Version:** 1

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Resolution to Approve Amendment No. 2 to the Continuing Service Contract with E. T. Mackenzie Company and to Appropriate Funds (\$850,000.00) **(8 Votes Required)**

Attached for your review and approval is a resolution approving, confirming and appropriating funds for an emergency request for Amendment No. 2 with E. T. MacKenzie Company (\$850,000.00) for emergency repairs to a missing storm sewer pipe section, broken sanitary sewer pipe to manhole connections, and lining of sanitary and storm sewers in Glen Avenue between E. Huron Street and Fuller Street.

In the course of televising underground facilities ahead of Street Resurfacing on Glen Avenue, it was discovered that a section of storm sewer pipe, approximately 25 ft. long, had fallen apart and washed downstream leaving a cavernous void under the pavement on Glen Avenue just north of Catherine Street. Two broken sanitary pipe to manhole connections were also discovered, and several sanitary and storm pipes were found to be in very poor condition. The condition of many of the sewer sections is so poor that lining is required prior to Street Resurfacing operations to prevent failures of the identified pipes during pavement replacement work. Due to the immediate need to repair the storm sewer to avoid an imminent danger to the traveling public, due to the depth of the excavation exceeding the limitations of City equipment, and due to the City not possessing sewer lining equipment, the City Administrator approved using an existing continuing services contract for on-call and emergency construction services and an emergency purchase order until a resolution could be taken to City Council.

The contractor selected for this emergency purchase order was E. T. MacKenzie Company. The contractor had all the necessary equipment, personnel and experience to perform this work with only a few hours notice. The contractor's project manager for this work has a proven track record of outstanding performance on several challenging utility projects undertaken by the city. E. T. MacKenzie Company has an existing continuing services contract with the City for on-call and emergency construction services. (Approved by Resolution R-09-445; extended by amendment approved by Resolution R-11-264.) The contractor completed the work under the terms of the existing contract on a time and materials basis. The projected final cost for completing the project is expected not to exceed \$600,000.00. However, this amount exceeds the \$250,000.00 that was approved for the FY12 and FY13 extension period for the existing continuing services contract with E. T. MacKenzie Company for on-call and emergency construction services and it is necessary to maintain funding for that contract for ongoing on-call and emergency construction services through FY12 and FY13.

E. T. MacKenzie Company received Human Rights and Living Wage approval on May 18, 2011.

Funding for this emergency repair is available in and will need to be appropriated from the unobligated fund balances of the Sewage Disposal Fund (\$258,000.00) and the Stormwater Sewer System Fund (\$342,000.00).

Prepared by: Nichole Woodward, Utilities Engineer, Public Services

Reviewed by: Craig Hupy, Interim Public Services Administrator

Approved by: Steven D. Powers, City Administrator

Whereas, Public Services staff identified a missing section of storm sewer, broken sanitary sewer pipe to manhole connections, and sewer pipes near the point of failure located in Glen Avenue between E. Huron Street and Fuller Street;

Whereas, The imminent potential for a road collapse on Glen Avenue warrants installation of a new section of storm sewer pipe as an emergency repair;

Whereas, Broken sanitary sewer pipe to manhole connections in Glen Avenue warrant installation of new sanitary sewer pipe to manhole connections as emergency repairs;

Whereas, Immediate lining of sanitary sewer and storm sewer pipes in Glen Avenue is necessary to prevent pipe failures in the course of street resurfacing operations;

Whereas, Funding for this emergency repair is available in unobligated fund balances of the Sewage Disposal Fund (\$258,000.00) and the Stormwater Sewer System Fund (\$342,000.00);

Whereas, E. T. MacKenzie Company was immediately available to provide repair services and agreed to provide the services under the terms of their existing continuing services contract for on-call and emergency construction services (R-09-0965, R-11-264), including the itemized time and material costs provided in that contract;

Whereas, E. T. MacKenzie Company has received Human Rights and Living Wage approval on May 18, 2011; and

Whereas, The total payment request from E. T. MacKenzie Company for the completed Glen Avenue emergency repairs project is not to exceed \$600,000.00.

RESOLVED, That the Mayor and City Council confirm and approve Amendment No. 2 to increase the contract amount to \$850,000.00 to E. T. MacKenzie Company under the existing continuing services contract for on-call and emergency construction services to make emergency repairs on Glen Avenue between E. Huron Street and Fuller Street;

RESOLVED, That an amount not to exceed \$258,000.00 be appropriated from the available unobligated fund balance of the Sewage Disposal Fund to the Sewage Disposal Fund operation and maintenance budget (0043) and an amount not to exceed \$342,000.00 be appropriated from the available unobligated fund balance of the Stormwater Sewer System Fund to the Stormwater Sewer System Fund operation and maintenance budget (0069) to cover the cost of the emergency purchase order; and

RESOLVED, That City Council authorizes the City Administrator to take all necessary administrative actions to implement this resolution.