



## Legislation Text

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**File #:** 21-1499, **Version:** 1

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### Resolution to Ratify an Emergency Purchase Order to E.T. MacKenzie Company for Plant Effluent Water Leak Repair at the Wastewater Treatment Plant (\$40,000.00)

You are requested to ratify and approve the issuance of an emergency purchase order by the City Administrator to E.T. MacKenzie Company (MacKenzie) in the amount of \$40,000.00 for the repair of a plant effluent water (PEW) leak under a roadway at the City's Wastewater Treatment Plant (WWTP).

PEW is wastewater that has received nearly full treatment at the WWTP except for ultra-violet disinfection and is used as process water for non-potable purposes. On July 23, 2021, WWTP staff discovered PEW leaking from under a plant roadway and took immediate action to contain the water on-site and prevent it from discharging to the Huron River. Based on discussions with Public Works and three contractors and after receiving verbal approval, WWTP staff hired MacKenzie on a time and materials basis. Advance quotes could not be obtained due to the unknown nature of the leak, which required excavating the roadway in the area of the leak and locating it before completing appropriate repairs.

MacKenzie completed the repairs on July 29, 2021 and submitted a schedule of values for this work in the amount of \$33,243.52 on August 10, 2021. The amount of the emergency PO is \$40,000.00 to fund the replacement of asphalt in the area of the excavation if MacKenzie is determined to be the lowest responsible bidder for paving.

MacKenzie has demonstrated to the City it is a responsible contractor with reasonable unit rates. In response to RFP No. 21-16, Public Works recommended MacKenzie to provide services for complicated sewer or water main repairs that exceed City capabilities to perform during FY 22 and FY 23. Council approved a contract with MacKenzie through Resolution R-21-280 on August 2, 2021.

As provided in City Code Chapter 14, 1:317, the Wastewater Treatment Services Unit received authorization for an emergency purchase order to MacKenzie in the amount of \$40,000.00.

MacKenzie complies with the requirements of the Conflict of Interest, Non-Discrimination, Prevailing Wages, and Living Wage ordinances.

Budget/Fiscal Impact: Funds are available in the approved FY 22 Sewage Disposal Fund WWTSU Operations and Maintenance budget.

Prepared by: Earl J. Kenzie, P.E., Wastewater Treatment Services Manager

Reviewed by: Craig Hupy, Public Services Administrator

Approved by: John Fournier, Assistant City Administrator

Whereas, Staff at the City's Wastewater Treatment Plant (WWTP) discovered and contained plant effluent water (PEW) leaking from under a roadway at the plant;

Whereas, Based on discussions with Public Works and three contractors and after receiving verbal

approval, WWTP staff hired E.T. MacKenzie Company (MacKenzie) on a time and materials basis to excavate the roadway, locate the leak and complete appropriate repairs;

Whereas, Activities covered under this purchase order may mitigate a public safety concern, a public health concern or a nuisance, or limit potential liability of the City of Ann Arbor;

Whereas, MacKenzie complies with the requirements of the City's Conflict of Interest, Prevailing Wage, Living Wage and Non-Discrimination ordinances;

Whereas, The City Administrator has exercised Chapter 14, Section 1:317 for an emergency purchase order in the amount of \$40,000.00 for these repair services and to fund the replacement of asphalt in the area of the excavation if MacKenzie is determined to be the lowest responsible bidder for paving; and

Whereas, Funding is available to the approved FY 22 Sewage Disposal Fund WWTSU Operations and Maintenance Budget;

RESOLVED, That Council ratifies the emergency purchase order issued by the City Administrator under Chapter 14, Section 1:317 of the Ann Arbor City Code to MacKenzie in the amount of \$40,000.00 for repair of the underground PEW pipe leak and to fund the replacement of asphalt in the area of the excavation if MacKenzie is determined to be the lowest responsible bidder;

RESOLVED, That Council has determined that activities covered under this purchase order may mitigate a public safety concern, a public health concern or a nuisance, or limit potential liability of the City of Ann Arbor; and

RESOLVED, That the City Administrator be authorized to take necessary administrative action to implement this resolution.