



Legislation Text

File #: 0370-2014, Version: 1

1. BACKGROUND:

This ordinance requests the approval of funding a Mayor's Emergency and to authorize the Director of Public Utilities to enter into a contract from a competitive bid for emergency water line repairs. Both contracts are with John Eramo & Sons Inc in the total amount of \$1,204,797.50

MAYOR'S EMERGENCY:

The Department of Public Utilities, Division of Water's Distribution contracts with private contractors to assist with water line breaks during the winter months. Typically this would allow the department to use six (6) crews from the Division of Water and four (4) crews from private contractors. During the winter of 2013-2014 the City has experienced higher than normal breaks due to the long term cold. This has increased the demands on the department and private crews which affected the amount of lines that could be repaired in an acceptable time frame. In order to repair the leaks and restore services expeditiously, the Department of Public Utilities requested a Mayor's Emergency on February 4, 2014 asking permission for the department to immediately contract with a private contractor(s) to assist with repairs of water lines up to an amount of \$500,000.00.

The Honorable Mayor Michael B. Coleman has accepted and signed the request and is attached as "**ORD 0370-2014 Mayor's Emergency**". The City Auditor has also concurred with the emergency request for funding. This letter is in effect through the winter season until the number of water main leaks can be brought to an acceptable level, or until funding has been exhausted. The department has contracted with John Eramo & Sons Inc.

SECOND CONSTRUCTION CONTRACT:

Ordinance Number 2575-2013 passed on December 9, 2013 authorizing the Department of Public Utilities, Division of Water to enter into a construction contract with Conie Construction Co., for the 2014 Water Main Repairs contract. This is an annual contract that allows the contractor to complete emergency repairs within the water distribution system when the work load exceeds the ability or capacity of the Water Distribution section.

The construction contract contained a Special Provision (SP-7) that allows the City to award a second contract to the second lowest, responsive and responsible bidder, if it is in the best interest of the City to do so. In light of the events mentioned above, we expect the trend to continue, therefore, the Division of Water believes it is in the best interest of the City to award this second contract in order to assist the Division with emergency water main repairs.

The second lowest, responsive and responsible bidder was John Eramo & Sons, Inc. and their bid amount was \$704,797.50.

John Eramo & Sons Inc's Contract Compliance Number is 31-0724866 (expires 12/16/15, Majority).

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against John Eramo & Sons, Inc.

2. EMERGENCY DESIGNATION: It is requested that this Ordinance be handled in an emergency manner to allow the Department enter into contract at the earliest time available so that work can begin on repairing water line leaks and

restore service.

3. FISCAL IMPACT: The Auditor's Office established and Auditor's Certificate AC-035935 for \$500,000.00 and is being authorized by this Ordinance. A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary, as well as an amendment to the 2013 Capital Improvements Budget, for the second contract amount of \$704,797.50. The total amount of funding for this ordinance is \$1,204,797.50

To authorize the City Auditor to post the financial transactions against the Mayor's Emergency; to authorize the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc., as the second lowest, responsive and responsible bidder for the 2014 Water Main Repairs Project; for the Division of Water; to authorize a transfer and expenditure up to \$1,204,797.50 within the Water Works Enlargement Voted Bonds Fund; to amend the 2013 Capital Improvements Budget; and to declare an emergency. (\$1,204,797.50)

WHEREAS, Water Distribution crews have been working with two private contractors (for a total of 4 crews from active 2013 contracts) to assist with repairing water main leaks, however, the number of leaks has dramatically increased beyond the capacity of the active 2013 and 2014 contracts; and

WHEREAS, the Department of Public Utilities submitted a Mayor's Emergency Letter requesting additional funding of \$500,000.00 in order to immediately contract with other vendors to supplement the Water Distribution Section for water main repairs and the Mayor has approved the request; and

WHEREAS, the Auditor's Office has established and Auditor's Certificate AC-035935 in the amount of \$500,000.00 and the Department will draw down this Auditor's Certificate by establishing EA type documents; and

WHEREAS, Ordinance Number 2575-2013 passed on December 9, 2013 authorizing the Department of Public Utilities, Division of Water to enter into a construction contract, with Conie Construction Co., for the 2014 Water Main Repairs contract; and

WHEREAS, the 2014 Water Main Repairs contract contained Special Provision (SP-7) that allowed the City to award a second contract to the second lowest, responsive and responsible bidder, if it is in the best interest of the City to do so; and

WHEREAS, in light of the events mentioned in the Mayor's Emergency above, the Division of Water believes it is in the best interest of the City to award this second contract to the second lowest, responsive and responsible bidder, John Eramo & Sons, Inc., in the amount of \$704,797.50; and

WHEREAS, it is necessary for this Council to authorize a transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund, for the Division of Water; and

WHEREAS, it is necessary to authorize an amendment to the 2013 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to immediately contract with various vendors to supplement the Water Distribution Section with water main repairs approved via Mayor's Emergency letter dated February 4, 2014; to also authorize the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc. for an additional 2014 Water Main Repairs contract, for the immediate preservation of the public health, peace, property and safety; now therefore,

declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.