
CITY COUNCIL AGENDA
July 16, 2013

ITEM/SUBJECT: Resolution Authorizing The City Manager To Execute All Documents Necessary To Acquire Goods And Services Described In The Temporary Water Reuse Conveyance Facilities Project (CWF13-550-16) From Bowles Construction Co. In The Amount Of \$8,389,614.95

INITIATING DEPT: Public Works / Engineering

COMMENTARY:

On July 3, 2013, bids were opened for the Temporary Water Reuse Conveyance Facilities Project (CWF13-550-16). This project will include the construction of a temporary pump station located at the RRWWTP to pump 7.5 million gallons per day (MGD) of treated effluent through a temporary above ground pipeline along Holiday Creek right-of-way and Railroad right-of-way, to the Cypress Water Treatment Plant (WTP). The water will be treated through the existing Microfiltration / Reverse Osmosis (MF/RO) treatment plant and discharged into one of the backwash lagoons on site. The water will then be pumped back to the head of the Cypress WTP, be blended at a 50/50 ratio with lake water, and treated again through one of the conventional surface water treatment plants. This would yield a total of 10 MGD of potable water.

The bids received for this project including were as follows:

<u>COMPANY</u>	<u>AMOUNT</u>
Bowles Construction Co. - Wichita Falls, TX	\$8,389,614.95
Archer Western Construction - Arlington, TX	\$8,932,750.00

It is important to note this amount is only a portion of all the work required to fully implement the reuse water. There is additional plant piping work at the Cypress WTP, Full Scale Verification testing, engineering, and contingency expenses that will bring the total project cost to approximately \$11.0 million.

This project was bid informally, without formal advertising pursuant to Chapter 252 of the Texas Local Government Code. The earlier this project is online, the more security it will provide to City water supplies. Construction of this project should require approximately 180 consecutive days to complete. However, construction difficulties caused by selection of an inadequate contractor could extend this time considerably. Therefore, to avoid contractor completion problems that might interrupt water supplies as a result of the drought and timing issues that have been forced upon the City by TCEQ permitting developments, City staff is recommending limiting the acquisition of the Temporary Water Reuse Conveyance Facilities Project to selected contractors with

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COMMENTARY (cont.): a track record of successfully completing utility projects for the City of Wichita Falls. Consequently, staff has obtained informal bids for construction of this project, and is recommending it be constructed in accordance with Texas Local Government Code § 252.022(a)(1), which exempts procurements from the bidding process that are necessary to relieve a necessity of the City.

Staff recommends executing a contract with Bowles Construction Co. in the amount of \$8,389,614.95, based on unit price quantities.

☒ **Director, Public Works**

CITY MANAGER'S REMARKS: The City received two bids for construction of the Temporary Emergency Reuse Water System and the low bidder was Bowles Construction Co. in the amount of \$8,389,614.95. Approval of this resolution will award the project to Bowles Construction Co. in that amount. This amount does not include the cost for piping work at Cypress Treatment Plant, water testing requirements, engineering expenses, or any contingency for change orders. Therefore, it is estimated that the total project will cost approximately \$11 million. This amount is \$2 million below the budgetary estimate that was being used for this project. Nevertheless, it is recommended elsewhere in this agenda that the City issue \$13 million in Certificates of Obligation for this project to provide for nearly \$2 million in additional funds that can be used for soft costs associated with the Permanent Water Reuse Project.

☒ **City Manager**

ASSOCIATED INFORMATION: Resolution, Location Map, Bid Tab

BUDGET CERTIFICATION (Account No. / Amount) (550-8415-77220)/(\$8,389,614.95)

☐ **Budget Office Review**

LEGAL CERTIFICATIONS:

☒ **APPROVED AS TO FORM:**
CODIFICATION:

☐ YES ☒ NO

City Attorney

RESOLUTION NO. _____

Resolution Authorizing The City Manager To Execute All Documents Necessary To Acquire Goods And Services Described In The Temporary Water Reuse Conveyance Facilities Project (CWF13-550-16) From Bowles Construction Co. In The Amount Of \$8,389,614.95

WHEREAS, the City Council finds that the City of Wichita Falls ("City") is suffering an extension of the new drought of record, with multi-year precipitation levels lower than ever experienced;

WHEREAS, the City Council finds that the procurement of the products and services of this Temporary Water Reuse Facilities Project (this "Project") are necessitated due to this drought of record that is expected to reduce reserves of available water to a lower amount than experienced in the City's past;

WHEREAS, the City Council finds that the procurement of this Project faces critical timing issues that could lead to an interruption of availability of potable water in the City if unforeseen construction issues delay its completion;

WHEREAS, the City Council finds that the procurement of this Project is exempt from the state requirements for competitive bidding pursuant to Texas Local Government § 252.022 (a)(1) because it is a procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the City's residents or to preserve the property of the City;

WHEREAS the City Council finds that the procurement of this Project is exempt from the state requirements for competitive bidding pursuant to Texas Local Government § 252.022(a)(2) because it is a procurement necessary to preserve or protect the public health and safety of the City's residents by ensuring continuation of uninterrupted supplies of potable water for the City;

WHEREAS, the City Council finds that the inapplicability of Texas' bidding requirements of Chapter 252 of the Texas Local Government Code renders the bidding requirements of Section 104 of the City Charter and Texas Local Government Code § 271.024 inapplicable to the procurement of this Project;

WHEREAS, to ensure the taxpayers received the best offer from prequalified bidders, the City has informally advertised for bids for the items being procured in this Project; and

WHEREAS, it is found that the lowest responsible informal bidder for this work is Bowles Construction Co., which made a unit price bid in an estimated total amount of \$8,389,614.95.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

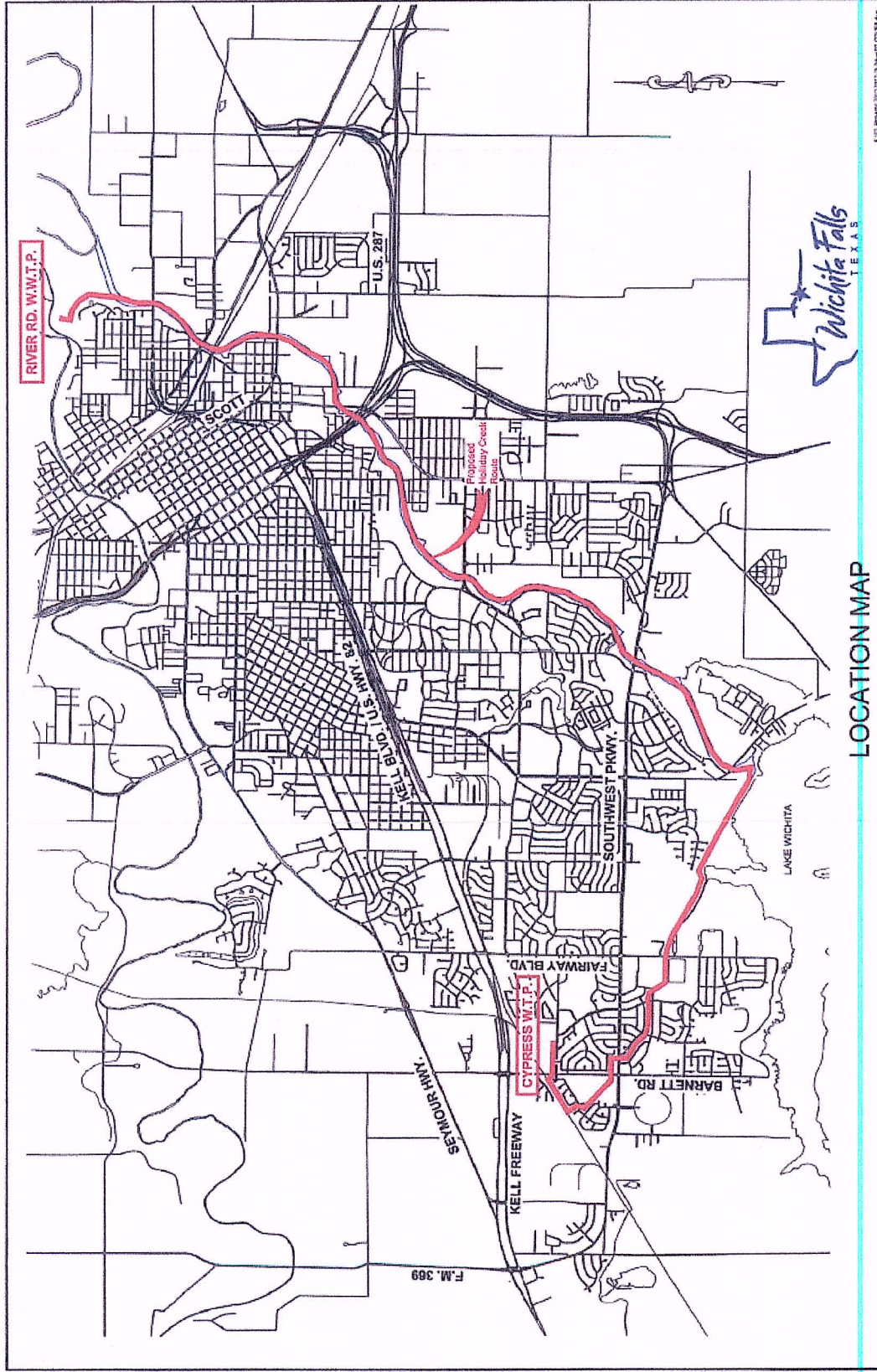
The City Manager is authorized to execute all documents necessary to acquire the goods and services described in the Temporary Water Reuse Conveyance Facilities Project (CWF13-550-16) from Bowles Construction Co., in an estimated total unit price amount of \$8,389,614.95.

PASSED AND APPROVED this the 16th day of July, 2013.

MAYOR

ATTEST:

City Clerk



CITY COUNCIL AGENDA
July 16, 2013

ITEM/SUBJECT: Resolution Authorizing The City Manager To Execute A Professional Services Agreement With Corlett Probst & Boyd P.L.L.C. For Surveying And Engineering Services For The Permanent Reuse Pipeline From The Wichita Falls Business Park To Lake Arrowhead, In The Amount Of \$595,375 For Basic Services

INITIATING DEPT: Public Works / Engineering

COMMENTARY: The City completed a Reuse Feasibility Study in March of 2013. The study evaluated different alternatives for the permanent beneficial reuse of the 10 MGD of treated effluent from the River Road Wastewater Treatment Plant (RRWWTP). The alternatives evaluated included: discharge of the water into Lake Arrowhead, discharge of the water into Lake Wichita, construction of a Microfiltration/Reverse Osmosis Plant at the Cypress Water Treatment Plant, and the construction of a Microfiltration/Reverse Osmosis Plant at the Jasper Water Treatment Plant. The study identified discharging into Lake Arrowhead as the most economical and practical of the alternatives.

The major components of this particular project include improvements to the RRWWTP for nutrient removal, ROW acquisition and design for the pipeline to the lake, and securing a discharge permit from the Texas Commission on Environmental Quality (TCEQ). An engineering agreement with CDM/Smith Inc. to complete the modeling and discharge permit application was approved by Council on June 18, 2013.

The second major component of the project is the surveying, easement acquisition, and design of the pipeline. This could be a very lengthy process since there will be numerous property owners that will be involved. Therefore, staff recommends beginning this process as quickly as possible.

Corlett Probst & Boyd have been involved in the reuse project since its inception in 1999 and were also involved in the recently completed Reuse Feasibility Report. They are very familiar with the project and have the surveying and engineering capabilities to complete this project.

Staff recommends execution of this agreement in the amount of \$595,375 to begin the second phase of the permanent reuse project. This price amounts to about 6% of the estimated cost for this phase of the project.

☒ **Director, Public Works**

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INITIATING DEPT: Public Works / Engineering

CITY MANAGER'S REMARKS: Approval of this resolution will authorize the local engineering firm of Corlett Probst & Boyd to begin engineering work on a segment of the Permanent Water Reuse Project. The amount of the contract is \$595,375 and will be paid for from some water bond funds remaining from a previous water project and/or new bond funds that are included in the issuance of 20 Year Combination Tax and Certificates of Obligation principally being issued for the Temporary Reuse Project. Corlett Probst & Boyd are intimately familiar with the project and the price is approximately 6% of the estimated cost for this phase of the project.

☒ **City Manager**

ASSOCIATED INFORMATION: Resolution, Agreement

BUDGET CERTIFICATION (Account No. / Amount) (542-8492-77160) / (\$595,375.00)

☒ **Budget Office Review**

LEGAL CERTIFICATIONS:

☒ **APPROVED AS TO FORM:**

CODIFICATION:

☐ YES ☒ NO

City Attorney

RESOLUTION NO. _____

Resolution Authorizing The City Manager To Execute A Professional Services Agreement With Corlett Probst & Boyd P.L.L.C. For Surveying And Engineering Services For The Permanent Reuse Pipeline From The Wichita Falls Business Park To Lake Arrowhead, In The Amount Of \$595,375 For Basic Services

WHEREAS, the City of Wichita Falls has evaluated Permanent Reuse options for its River Road Wastewater Treatment Plant Effluent and determined that the most economical and feasible alternative that is likely to be permitted by the Texas Commission on Environmental Quality is to discharge the effluent into Lake Arrowhead via a water reuse pipeline (Reuse Pipeline) from the Wichita Falls Business Park to Lake Arrowhead;

WHEREAS, Corlett, Probst & Boyd P.L.L.C., an engineering firm capable of completing the survey, document preparation, and design for the Reuse Pipeline, has been involved in the reuse project since its inception in 1999 and worked to complete the Reuse Feasibility Study in March 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The City Manager is authorized to execute the attached **Professional Services Agreement** with Corlett Probst & Boyd P.L.L.C. for surveying and engineering services for the permanent water reuse pipeline from the Wichita Falls Business Park to Lake Arrowhead, in the amount of \$595,375 for Basic Services, with changes as approved by the City Attorney.

PASSED AND APPROVED this the 16th day of July, 2013.

MAYOR

ATTEST:

City Clerk