



HISTORIC
FRANKLIN
TENNESSEE

ITEM #10
WRKS 05/22/2012

MEMORANDUM

May 10, 2012

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator *ES*
David Parker, P.E., City Engineer/CIP Executive
Paul Holzen, P.E., Director of Engineering

SUBJECT: Consideration of Resolution No 2012-29 , A Resolution To Authorize The City Administrator To Execute COF Contract #2012-0080, For the ARRA 2009 Clean Water Projects, Department of Environment And Conservation Number CGA 2009-250 To The Lowest Bidder On Behalf Of The City Without First Seeking Approval from The Board Of Mayor and Aldermen

Purpose

The purpose of this memo is to provide information to the Board of Mayor and Aldermen (BOMA) for the consideration of Resolution No 20 12-29.

Background

The City submitted a letter of interest to the Tennessee Department of Environment and Conservation (TDEC) for a State Revolving Loan Fund (SRF) loan in February 2009. During the course of the loan application process, it was learned that American Recovery and Reinvestment Act (ARRA or "stimulus package") funding would be implemented through the SRF program in the form of loan principle forgiveness of 40%. At this time, there is an excess of approximately \$600,000 left in the ARRA/SRF Project CGA 2009-250 that will not be used for the original five projects in the contract. City staff has been working with our consultant to amend the original Interdisciplinary Environmental Review (IER) documentation and Facilities Plan to include the West Main Water and Sewer Rehabilitation project. The goal of this project is to upgrade the conditions of existing water and sanitary sewer lines in the area of Ninth Avenue, Highway 96W, Seventh Avenue and Columbia Avenue to better serve the community and customers. This amendment has been submitted and approved by the SRF Office. **The major stipulation for this funding is that the project has to be "substantially complete" by September 30, 2012. In order to achieve this city staff must bid the project and issue a Notice to Proceed (NTP) as soon as possible to ensure we meet the deadline.**

In order to facilitate delivery of this project in an extremely tight timeframe, the City will need to consider some additional measures to expedite the bid award and start the project as soon as possible. Staff expects that construction bids on the project will be received and ready for bid by the end of May.

Options

1. BOMA Approves Resolution No 2012-29 authorizing the City Administrator to execute COF Contract #2012-0080, on behalf of the City without first seeking approval from the Board of Mayor and Aldermen.
2. Hold a Special BOMA Meeting to award COF Contract #2012-0080 after bids are received.
3. Request this item to be placed on the June 12 BOMA meeting resulting in a loss of 2 weeks.

Financial Impact

The consultant has provided the City with an Engineer's Opinion of Cost for the project at \$1,460,880.00, all aspects of water and sewer. The eligible sewer work qualifies for 40% loan forgiveness, providing a cost savings



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to the City of approximately \$240,000. All other costs shall be funded through the Water Management operating capital budget (rate-funded capital).

Recommendation

Staff recommends approval of Resolution No 2012-29, A Resolution To Authorize The City Administrator To Execute COF Contract #2012-0080, For The ARRA 2009 Clean Water Projects, Department of Environment and Conservation Number CGA 2009-250 To The Lowest Bidder On Behalf of the City Without First Seeking Approval From the Board of Mayor and Aldermen.

RESOLUTION 2012-29

A RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE COF CONTRACT NO 2012-0080, FOR THE ARRA 2009 CLEAN WATER PROJECTS, DEPARTMENT OF ENVIRONMENT AND CONSERVATION NUMBER CGA 2009-250 TO THE LOWEST BIDDER ON BEHALF OF THE CITY WITHOUT FIRST SEEKING APPROVAL FROM THE BOARD OF MAYOR AND ALDERMEN

WHEREAS, the City of Franklin is a public and governmental body in Franklin, Tennessee (the "Local Government"); and

WHEREAS, the Local Government has determined that it is necessary and desirable to undertake certain activities or tasks in connection with providing safe sanitary sewer services to certain areas within its jurisdiction; and

WHEREAS, the Local Government has had designed for construction the West Main Water and Sewer Rehabilitation Project (the "Project"); and

WHEREAS, the Tennessee Department of Environment and Conservation ("TDEC") has approved the Project for funding under the State Revolving Loan Fund Program ("SRFLP") available through the American Recovery and Reinvestment Act of 2009 ("ARRA"), TDEC Number **CGA 2009-250**, in and for the Local Government; and

WHEREAS, the provisions of the ARRA SRFLP require the Local Government to award the construction of the Project after publically advertising, receiving and opening construction bids from qualified contractors to the lowest and most responsive bidder contingent upon the verification of the bid process and approval of award by TDEC.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, that the City Administrator shall be authorized to execute COF Contract No 2012-0080, the West Main Water and Sewer Rehabilitation Project, TDEC Number CGA 2009-250, contingent upon the review and approval of the lowest and most responsive bid as recommended by the City Engineer and concurrence of the award of the construction contract by TDEC.

IT IS SO RESOLVED AND DONE on this 8th day of May, 2012

ATTEST:

CITY OF FRANKLIN, TENNESSE

By: _____
ERIC S. STUCKEY
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to Form

By: _____
Shauna R. Billingsley
City Attorney