



## Recommendation for Action

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**File #:** 21-3531, **Agenda Item #:** 21.

12/9/2021

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### **Posting Language**

Ratify a construction contract with DeNucci Constructors, LLC for the 5th Street at Shoal Creek Chilled Water Trench Repair Project, in an amount not to exceed \$940,344.83.

(Note: This contract is exempt from the City Code Chapter 2-9A Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

### **Lead Department**

Financial Services Department

### **Managing Department**

Austin Energy

### **Fiscal Note**

Funding is available in the Fiscal Year 2021-2022 Operating Budget of Austin Energy.

### **Purchasing Language:**

This is an emergency contract that did not go through the City's competitive Invitation for Bids solicitation process.

### **For More Information:**

Inquiries should be directed to Rolando Fernandez, 512-974-7749 or Beverly Mendez, 512-974-3596.

### **Additional Backup Information:**

The requested action is for Council to ratify the contract with DeNucci Constructors, LLC, which was procured under authority of Section 252.022(a) (2) of the Texas Local Government Code as a procurement necessary to protect or preserve the public health and safety of the citizens of Austin and thus exempt from statutory competitive bidding requirements.

In July 2021 a large pothole was discovered in one lane of 5th Street between the Shoal Creek Bridge and West Street. The Public Works Department barricaded the area and investigated the hole. The hole turned out to be a void that led to Austin Energy chilled water lines and communication conduit. The discovery of the void required emergency response to determine the extent of the void before any additional road failures possibly causing damage to vehicles or personal injury to drivers or pedestrians on 5th Street.

This repair was initiated due to public health and safety on a high traffic road. The work required excavation on 5th Street to determine the extent of the void and damage to existing infrastructure, repairs to the infrastructure, backfilling the trench, and repaving the road. This repair ensured public safety and continued reliability of the chilled water service to the district energy and cooling downtown customers for their air conditioning needs.

This project is located within zip code 78703 (District 9).

DeNucci Constructors, LLC, is located in Austin Texas.

**Strategic Outcome(s):**

Safety, Health and Environment.