

RESOLUTION NO. 2023 – 08 – 03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS,
APPROVING AN EMERGENCY CONSTRUCTION AGREEMENT WITH
INSITUFORM TECHNOLOGIES, LLC FOR THE SULPHUR RIVER EMERGENCY
BYPASS PROJECT; ALLOCATING FUNDING FROM THE CITY'S FEDERAL
AMERICAN RESCUE PLAN FUNDS; AND AUTHORIZING THE CITY MANAGER
OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS RELATING THERETO ON
BEHALF OF THE CITY OF COMMERCE, TEXAS.**

WHEREAS, the City of Commerce is responsible for provide safe drinking water (potable water) in enough quantity to meet water consumption demands and to provide fire protection services to the community; and

WHEREAS, the City's potable water transmission line crosses the South Sulphur River just south of town. The line is over seventy years old and the line developed a small leak during the summer of 2022; and

WHEREAS, the City had a professional engineer design a replacement project for the river crossing and awarded a construction contract to Insituform Technologies, LLC to construct the new river crossing; and

WHEREAS, Insituform Technologies, LLC began construction on the new river crossing during the week of June 19, 2023; and

WHEREAS, the water leak at the river crossing became significantly worse on June 28, 2023 draining the City distribution system and causing the entire City to be without water; and

WHEREAS, City staff authorized Insituform Technologies, LLC to take emergency action to install a temporary emergency bypass at the river crossing to restore water service to the community; and

WHEREAS, the emergency crews were able to successfully install the temporary bypass and restore water service to the community on July 2, 2023; and

WHEREAS, the City received federal funding from the American Rescue Plan during the COVID pandemic and the funds can be used for water system infrastructure.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COMMERCE, TEXAS:**

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, the City Council of the City of Commerce, Texas, hereby approves the Emergency Construction Agreement with Insituform Technologies, LLC in the amount of \$409,250.00 for the cost of labor, equipment, and materials to install the bypass, maintain the bypass, and to remove the bypass upon the completion construction of the permanent river crossing transmission line.

Section 3: The City Council authorizes the use of funding from the City's allocation of American Rescue Plan to pay for the emergency bypass project.

Section 4: This Resolution shall be in full force and effect from and after its passage and it is so resolved.

PASSED AND APPROVED THIS 15TH DAY OF AUGUST 2023.

ATTEST:

CITY OF COMMERCE, TEXAS



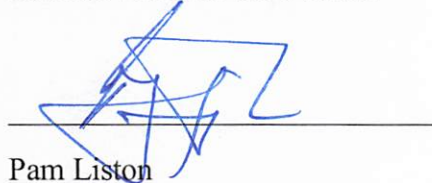
Molly Jacobsen
City Secretary



Teddy Reel
Mayor

(Seal)

APPROVED AS TO FORM:



Pam Liston
City Attorney