

<p><b><u>TITLE</u></b>  <b>AN ORDINANCE DECLARING A          PUBLIC EMERGENCY IN          CONNECTION WITH THE          EMERGENCY REPAIR OF STONER          FORCE MAIN LOCATED ALONG THE          CLYDE FANT PARKWAY STARTING          JUST SOUTH OF THE SHREVEPORT-          BARKSDALE BRIDGE AND ENDING          AT 70<sup>TH</sup> STREET AND RATIFYING          THE EXPENDITURE OF          APPROXIMATELY \$3.9 MILLION AND          TO OTHERWISE PROVIDE WITH          RESPECT THERETO.</b></p>	<p><b><u>DATE</u></b>                  2/9/2022</p>	<p><b><u>ORIGINATING DEPARTMENT</u></b>                  Administration/Finance</p> <p><b><u>COUNCIL DISTRICT</u></b>                  All</p> <p><b><u>SPONSOR</u></b></p>
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**PURPOSE**  
 To ratify the Department of Water & Sewerage Emergency Repair of the Stoner Force Main without the delays associated with public bids. This ordinance will have direct impact on all Council Districts.

**BACKGROUND INFORMATION**  
 The City of Shreveport has a capital project to perform major upgrades to the Stoner Force Main infrastructure. Due to unforeseen business hardships, the original contractor defaulted and failed to complete the project. There are ongoing negotiations with the contractor’s surety company to complete portions of the remaining work.  
 Currently, the City of Shreveport has a servitude agreement with Spokane Company, LLC for all needed work to be completed on the project by June 30, 2022. If the normal design-bid-build method is used, the project is estimated to be completed by the first quarter in 2023. This will cause the City to have to request an extension to the servitude agreement which may result in re-negotiation of the terms which can cause delays and cost increases for legal, administration, and construction. The worst scenario is the servitude agreement will not be renewed and the Stoner Force Main Project cannot be completed which will cause significant harm to the City of Shreveport’s sewer infrastructure and can impact the public health and safety of its citizens.

<p><b><u>TIMETABLE</u></b>                  Introduction: February 22, 2022                  Final Passage: March 8, 2022</p>	<p><b><u>ATTACHMENT(S)</u></b></p>
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**SPECIAL PROCEDURAL REQUIREMENTS**  
 [N/A]

<p><b><u>FINANCES</u></b>                  \$3,900,000.00</p>	<p><b><u>SOURCE OF FUNDS</u></b>                  W&amp;S Revenue Bonds</p>
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**ALTERNATIVES**  
 (1) Adopt the ordinance as submitted, or (2) Amend the ordinance, or (3) Reject the ordinance.

**RECOMMENDATION**  
 It is recommended that the City Council adopt the ordinance.

**FACT SHEET PREPARED BY:** Annette Cash, Interim ACAO

ORDINANCE NO. \_\_\_\_\_ OF 2022

**AN ORDINANCE DECLARING A PUBLIC EMERGENCY IN CONNECTION WITH THE EMERGENCY REPAIR OF STONER FORCE MAIN LOCATED ALONG THE CLYDE FANT PARKWAY STARTING JUST SOUTH OF THE SHREVEPORT-BARKSDALE BRIDGE AND ENDING AT 70TH STREET AND RATIFYING THE EXPENDITURE OF APPROXIMATELY \$3.9 MILLION AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.**

**WHEREAS**, the Stoner Force Main is located along Clyde Fant Parkway, starting just south of the Shreveport-Barksdale Bridge and ending at 70<sup>th</sup> Street has experienced mechanical and instrumentation failure; and

**WHEREAS**, additional failures have the potential to cause major Sanitary Sewer Overflows (SSOs); and

**WHEREAS**, the City of Shreveport is currently in a Consent Decree with the Environmental Protection Agency (EPA), Department of Justice (DOJ), and the Louisiana Department of Environmental Quality (LA-DEQ), that necessitates reduction of SSO's; and

**WHEREAS**, immediate emergency repairs of Stoner Force Main, being one of the City of Shreveport's main sewer collectors, is necessary to protect the wastewater collection system, public health and safety, and the environment.

**WHEREAS** the City of Shreveport has been executing a capital project to complete the Stoner Force Main Project (Project), which includes replacement of portions of the Stoner Force Main, installation of gravity sewers, a new wastewater lift station, and abandonment of wastewater infrastructure; and

**WHEREAS**, completion of the Project is necessary to protect the wastewater collection system, public health and safety, and the environment; and

**WHEREAS**, the contractor originally under contract to the City of Shreveport has experienced significant business disruptions, resulting in their default and failure to complete the Project; and

**WHEREAS**, portions of the Project are incomplete, and negotiations with the contractor's surety to complete remaining work have been delayed; and

**WHEREAS**, The City of Shreveport currently has a servitude agreement with Spokane Company, LLC for work needed to complete the Project. This agreement requires work to be completed by June 30, 2022. It is not possible to complete the Project by June 30,

2022 using a traditional design-bid-build method. Using the traditional design-bid-build method, we estimate the Project would not be completed until the first quarter of 2023. This includes six months for bidding and getting a contractor under contract and six months to complete the construction. Not having the Project completed by June 30, 2022 will require the City of Shreveport to request an extension to the servitude agreement which may result in re-negotiation of the terms of the agreement, potentially resulting in additional delays and increases in Project legal, administration, and construction costs. Worse case, the servitude agreement will not be renewed, and we cannot conclude the Project.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Shreveport in due, legal, and regular session convened, that the emergency action of the Department of Water & Sewerage to repair the Stoner Force Main is hereby authorized and ratified and that the expenditure of approximately \$3,900,000.00 for this purpose is hereby authorized.

**BE IT FURTHER ORDAINED** that monies for this emergency repair shall come from the Water and Sewerage Revenue Bonds.

**BE IT FURTHER ORDAINED** that a public emergency is hereby declared and notice of such public emergency shall, within ten days thereof, be published in the official journal of the City of Shreveport proposing or declaring such public emergency in accordance with Section 38:2212(P) of the Louisiana Revised Statutes.

**BE IT FURTHER ORDAINED** that if any provision or item of this ordinance or application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or application, and to this end, the provisions of this ordinance are hereby declared severable.

**BE IT FURTHER ORDAINED** that all ordinances or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:

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City Attorney's Office