

February 14, 2024

WHEREAS, on October 20, 2019, a tornado event occurred in the City of Dallas, damaging many traffic signals, homes, buildings, trees, and other structures and improvements, resulting in significant amount of reconstruction and clean-up throughout the City; and

WHEREAS, the tornado event included traffic signals that were damaged in the core path of the tornado; and

WHEREAS, within the tornado path, damage areas were identified by priority level; and

WHEREAS, this construction contract is for the second highest priority area that incurred the most damage in a high-traffic area; and

WHEREAS, on October 25, 2023, the City of Dallas Office of Procurement Services publicly advertised for competitive bids for the Tornado – Damaged Signals Group 2 – Re-Bid Project to reconstruct traffic signals at the intersections of Walnut Hill Lane and Brockbank Drive, Park Lane and Webb Chapel Road, Royal Lane and St. Michaels Drive, and Forest Lane and Shepherd Road; and

WHEREAS, on December 1, 2023, the City of Dallas Office of Procurement Services received four bids for the project, listed as follows:

| <u>Bidders</u> | <u>Amount</u> |
|--|----------------------|
| EAR Telecommunications, LLC DBA: EARTC (EARTC) | \$3,091,437.15 |
| Durable Specialties, Inc. | \$3,489,268.85 |
| Bean Electrical, LLC | \$4,582,828.75 |
| Gadberry Construction | \$5,366,333.00 |

WHEREAS, the Coronavirus State and Local Fiscal Recovery Funds are eligible within the Qualified Census Tract areas to improve various intersections to promote the safety of all right-of-way users including motorist, cyclists, and pedestrians; and

WHEREAS, on June 23, 2021, the City Council authorized the acceptance of grant funds from the U.S. Department of Treasury for the Coronavirus Local Fiscal Recovery Fund to provide relief during the ongoing COVID-19 pandemic by Resolution No. 21-1149; and

WHEREAS, on September 22, 2021, the City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the American Rescue Plan Act Funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund by Resolution No. 21-1590; and

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WHEREAS, on September 28, 2022, the City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2022-23 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the American Rescue Plan Act funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund by Resolution No. 22-1480.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute a construction services contract with EARTC, approved as to form by the City Attorney, for the Tornado – Damaged Signals Group 2 – Re-Bid Project to reconstruct traffic signals at the intersections of Walnut Hill Lane and Brockbank Drive, Park Lane and Webb Chapel Road, Royal Lane and St. Michaels Drive, and Forest Lane and Shepherd Road, in an amount not to exceed \$3,091,437.15.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed \$1,694,449.90 in the Federal Highway Administration Tornado Damaged Signals Fund, Fund F709, Department TRN, Unit 291C, Object 4820.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$3,091,437.15 to EARTC, in accordance with the terms and conditions of the agreement, as follows:

| | |
|---|------------------------------|
| Coronavirus State and Local Fiscal Recovery Fund Fund FC18, Department TRN, Unit AG31 Object 4820, Program AG31ARPA Encumbrance/Contract No. TRN-2024-00023756 Vendor VC22914 | \$1,491,437.15 |
| Federal Highway Administration Tornado Damaged Signals Fund Fund F709, Department TRN, Unit 291C Object 4820, Activity TR01, Program STM1020S Encumbrance/Contract No. TRN-2024-00023756 Vendor VC22914 | <u>\$1,600,000.00</u> |
| Total amount not to exceed | \$3,091,437.15 |

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.