

Mayor and Council Communication

DATE: 06/11/24

M&C FILE NUMBER: M&C 24-0518

LOG NAME: 60WFCPP1A2- FNI

SUBJECT

(CD 5) Authorize Execution of Amendment No. 2 in the Amount of \$613,052.00 to an Engineering Agreement with Freese and Nichols, Inc., for Design of the West Fork Collector Parallel, Phase I Trinity River Siphon to Walker Branch Connection Project, and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2024-2028 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 2 in the amount of \$613,052.00 to City Secretary Contract No. 56603 an engineering agreement with Freese and Nichols, Inc., for the West Fork Collector Parallel, Phase I Trinity River Siphon to Walker Branch Connection project for a revised contract amount of \$1,944,710.00; and
2. Adopt the attached appropriation ordinance adjusting appropriations in the Water and Sewer Bond 2017A Fund by increasing estimated receipts and appropriations for the West Fork Collector Parallel, Phase I Trinity River Siphon to Walker Branch Connection project (City Project No. 103291) in the amount of \$663,052.00 and decreasing estimated receipts and appropriations in the Unspecified-All Funds project (City Project No. UNSPEC) by the same amount to effect a portion of Water’s contribution to the Fiscal Years 2024-2028 Capital Improvement Program.

DISCUSSION:

On September 28, 2021, Mayor and Council Communication (M&C 21-0770), the City Council authorized an engineering agreement in the amount of \$1,291,465.00 with Freese and Nichols, Inc. (City Secretary Contract No. 56603) for the construction of West Fork Collector Parallel, Phase I Trinity River Siphon to Walker Branch Connection project. In addition, the agreement provided for erosion analysis at three locations along large sanitary sewer mains parallel to Village Creek to identify what needed to be done to protect these assets from being undermined. The agreement was subsequently revised by Amendment No.1 in the amount of \$40,193.00 administratively authorized May 9, 2022, that provided for an alignment study of future collector phases to facilitate easement acquisition.

Amendment No. 2 provides for the preparation of plans and specifications to protect two levee banks that are adjacent to the Village Creek Water Reclamation Facility (VCWRF). Failure to conduct the necessary bank protection improvements could result in a collapse of the levee at the two locations, leaving VCWRF susceptible to flooding from the Trinity River.

Freese and Nichols, Inc., proposes to provide all the necessary services under this amendment for a fee of \$613,052.00. Staff considers the proposed fee to be fair and reasonable for the scope of services proposed.

In addition to the contract amount, \$50,000.00 is required for additional project management.

It is the practice of the Water Department to appropriate its CIP plan throughout the Fiscal Year (FY), instead of within the annual budget ordinance, as projects commence, additional funding needs are identified, and to comply with bond covenants. The actions in the M&C will appropriate funds in support of the Water’s portion of the City of Fort Worth’s Fiscal Years 2024-2028 Capital Improvement Program.

Funding for the Design of West Fork Collector Parallel Phase 1 project is depicted below:

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Capital Fund Name	Project Name	FY2024 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2024 Budget
56011 – Water & Sewer Bond 2017A	103291 WF Collector PH1 TRV Syphon	\$0.00	This M&C	\$663,052.00	\$663,052.00

Funding is currently available in the Unspecified-All Funds project within the Water & Sewer Bond 2017A Fund for the purpose of funding the WF Collector PH1 TRV Syphon project.

Funding for the Design of West Fork Collector Parallel Phase 1 TRV Syphon project is depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
W&S Rev Bonds Series 2022 – Fund 56020	\$2,226,715.00	\$0.00	\$2,226,715.00
Water & Sewer Bond 2017A – Fund 56011	\$0.00	\$663,052.00	\$663,052.00
Project Total	\$2,226,715.00	\$663,052.00	\$2,889,767.00

*Numbers rounded for presentation purposes.

This project will have no impact on the Water Department's operating budget when complete.

Business Equity: Freese and Nichols, Inc., is in compliance with the City's Business Equity Ordinance by committing to 8 percent MWBE participation on this project. The City's MWBE goal on this project is 8 percent.

The project is located in COUNCIL DISTRICT 5.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Unspecified-All Funds project within the Water & Sewer Bond 2017A Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Water & Sewer Bond 2017A Fund for the WF Collector PH1 TRV Syphon project to support the above recommendations and execution of the amendment. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

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