City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/24/25 **M&C FILE NUMBER:** M&C 25-0607

LOG NAME: 20SWM WESTCLIFF PHASE 1 AND CONTRACT 91 PT 2 CHANGE ORDER 3

SUBJECT

(CD 3 and CD 9) Authorize Execution of Change Order No. 3, to a Construction Contract with William J. Schultz, Inc. dba Circle C Construction Company in the Amount of \$1,621,223.35 for the Westcliff Drainage Improvements, Phase 1, and Sanitary Sewer Rehabilitation Contract 91, Project Part 2, Adopt Appropriation Ordinances, and Amend Stormwater and Water Capital Improvement Program Contributions to their Respective Fiscal Years 2025-2029 Capital Improvements Programs

RECOMMENDATION:

It is recommended that the City Council:

- 1. Authorize execution of Change Order No. 3 to City Secretary Contract No. 57280 a construction contract with William J. Schultz, Inc. dba Circle C Construction Company, in the amount of \$1,621,223.35 for the Construction of the Westcliff Drainage Improvements, Phase 1, and Sanitary Sewer Rehabilitation Contract 91, (City Project No. C01957) Part 2, for a revised contract amount of \$18,001,715.95;
- Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$946,260.00, from available PayGo residuals in the Water and Sewer Capital Projects Fund, for the purpose of funding the Sanitary Sewer Rehabilitation Contract 91 project (City Project No. C01957) Part 2 and to affect a portion of Water's Contribution to the Fiscal Years 2025-2029 Capital Improvement Program;
- 3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Stormwater Rev Bonds 2020 Fund, in the amount of \$350,000.00, from available Proceeds Drainage Rev Ref 2020 residuals, for the purpose of funding the Westcliff Drainage Improvements project by (City Project No. C01669); and
- 4. Amend the Stormwater Capital Improvement Program Contribution to the Fiscal Year 2025-2029 Capital Improvements Program.

DISCUSSION:

On February 22, 2022, by Mayor and Council Communication (M&C 22-0120), the City Council authorized a contract with William J. Schultz, Inc. dba Circle C Construction Company in the amount of \$14,663,252.60 for the construction of Westcliff Drainage Improvements, Phase 1, and Sanitary Sewer Rehabilitation Contract 91, Part 2.

The project provides for the installation or replacement of storm drain pipes, deteriorated sanitary sewer mains, and deteriorated water mains. The storm pipe improvements are the final phase of the overall four-phase Westcliff Drainage Improvements project to mitigate home and property flooding in the Westcliff neighborhood. The sanitary sewer component of this project is part of the Water Department's Sanitary Sewer Overflow Initiative Program. As part of this project, all identified street segments will be reconstructed with asphalt after storm drain, water line, and sanitary sewer installation is completed.

The contract was subsequently revised to add needed construction items by Change Order No. 1, in the net amount of \$59,500.00, administratively authorized February 9, 2023. The contract was further revised to add needed construction items and a survey for easement negotiations by Change Order No. 2, authorized on May 14, 2024, by Mayor and Council Communication (M&C 24-0393), in the amount of \$1,657,740.00 and an additional 190 calendar days was added to the schedule.

Change Order No. 3 will provide modifications due to unforeseen conditions and design changes resulting from requests by the Water Department. The unforeseen conditions included unidentified sewer services on a sewer line planned to be abandoned and an existing storm drain pipe filled with debris. The scope affected by design changes includes water improvements for Westcliff Elementary, a shift from open cut to bore for private services, a change in pavement striping specifications, adjustments to landscaping, and adjustments to account for increases due to inflation.

Staff recommends that the contract time be extended by an additional 192 calendar days due to the changes in scope discussed above, for a total contract time of 1,122 days.

Contract item additions have been evaluated by City staff as necessary, and the unit prices were determined to be fair and reasonable when compared to City standard prices and recently bid projects.

The following table summarizes previous contract actions and change orders:

M&C	Amount	Justification	Number	<u>Date</u>
Original Contract	\$14,663,252.60	Original Contract	M&C 22-0120	02/22/2022
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Change Order 1	\$59,500.00	Add needed construction items	Administrative	02/09/2023
Change Order 2	\$1,657,740.00	Add needed construction items and survey for easement negotiations	M&C 24-0393	05/14/2024
Change Order 3	\$1,621,223.35	Design and construction changes and additions to address unforeseen conditions	This M&C	To Be Determined
Revised Contract Amount	\$18,001,715.95			

The construction cost for Change Order No. 3. will be shared between the Transportation and Public Works Department Stormwater Division and the Water Department. The Stormwater construction cost will increase by \$674,964.56, and the Water Department costs will increase by \$946,260.00 (Water: \$402,095.00; Sewer: \$544,165.00).

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 of this M&C will appropriate funds in support of the Water's portion of the City of Fort Worth's Fiscal Years 2025-2029 Capital Improvement Program, as follows:

Capital Fund Name	Project Name	FY2025 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2025 Budget
W&S Capital Projects – Fund 56002	C01957 – SS Rehab Contract 91	\$0.00	This M&C	\$946,260.00	\$946,260.00

Appropriations for the Westcliff Phase 1 Improvements and Contract 91 Part 2 are as depicted below:

<u>Fund</u>	Existing Appropriations	Additional Appropriations (This M&C)	Project Total
56002 Water & Sewer Capital Fund (C01957)	\$12,508,101.00	\$946,260.00	\$13,454,361.00
30100 -General Capital Projects (C01957)	\$1,050,034.00	\$0.00	\$1,050,034.00
59601 – Water Capital (C01957)	\$4,000.00	\$0.00	\$4,000.00
59607 – Sewer Capital Legacy (C01957)	\$498,439.00	\$0.00	\$498,439.00
52007 –			

Projects Total	\$29,876,499.24	\$1,296,260.00	\$31,172,759.24
59653 – Stormwater Cap Proj 2007 (C01669)	\$586.43	\$0.00	\$586.43
59652 Stormwtr Cap Proj Legacy \$23,287,9 (C01669)		\$0.00	\$23,287.92
59651 Stormwater Cap Proj – Bonds (C01669) \$6,029,823.67		\$0.00	\$6,029,823.67
59601 - Water Capital (C01669)	\$121,041.91	\$0.00	\$121,041.91
30100 – General Capital Projects Fund (C01669)	\$500,000.00	\$0.00	\$500,000.00
52002 – Stormwater Capital Projects Fund (C01669)	\$1,755,185.31	\$0.00	\$1,755,185.31
Stormwater Rev Bonds 2020 (C01669)	\$7,386,000.00	\$350,000.00	\$7,736,000.00

Business Equity - William J. Schultz, Inc. dba Circle C Construction Company agrees to maintain its initial M/WBE commitment of 22.00% that it made on the original contract and extend and maintain that same M/WBE commitment of 22.00% to all prior change orders up to and inclusive of this Change Order No. 3. Therefore William J. Schultz, Inc. dba Circle C Construction Company remains in compliance with the City's M/WBE Ordinance and attests to its commitment by its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

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Funding is budgeted in the W&S Capital Projects and Stormwater Rev Bonds 2020 Funds for the TPW Department for the purpose of funding the SS Rehab Contract 91 and the Westcliff Drainage projects.

This project is located in COUNCIL DISTRICTS 3 and 9.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Unspecified All-Funds project within the W&S Capital Projects Fund and Unspecified All-Funds project within the Stormwater Rev Bonds 2020 Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the W&S Capital Projects Fund for the SS Rehab Contract 91 project and in the Stormwater Rev Bonds 2020 Fund for the Westcliff Drainage project. Prior to any expenditure being incurred, the Transportation & Public Works and Water Departments have the responsibility of verifying the availability of funds.

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