

Mayor and Council Communication

DATE: 01/27/26

M&C FILE NUMBER: M&C 26-0082

LOG NAME: 603RDB90INTVCBPEAPA7-FNI

SUBJECT

(CD 5) Authorize Execution of Amendment No. 7 in the Amount of \$357,780.00 to an Engineering Agreement with Freese and Nichols, Inc. for the 3rd Main to West Fork Trunk Mains (Village Creek Water Reclamation Facility Biosolids Facility Bank Stabilization) Project, and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2026-2030 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 7 to City Secretary Contract No. 55399, an Engineering Agreement with Freese and Nichols, Inc., in the amount of \$357,780.00, for construction support services for the 3rd Main to West Fork Trunk Mains (Village Creek Water Reclamation Facility Biosolids Facility Bank Stabilization) project for a revised contract amount of \$2,901,116.00; and
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Water & Sewer Revenue Bonds Series 2025 Fund by increasing estimated receipts and appropriations in the 3rd Main to West Fork Trunk Mains project (3rd Barrel Parallel Sanitary Sewer to the Twin 90-inch Sewers Serving the Village Creek Wastewater Treatment Plant, Bank Protection at the Village Creek Wastewater Treatment Plant and Pipeline Erosion Analysis at Five Low Water Crossings)(City Project No. 103128) in the amount of \$417,780.00 and decreasing estimated receipts and appropriations in the Commercial Paper project (City Project No. UCMLPR) by the same amount, to effect a portion of Water's contribution to the Fiscal Years 2026-2030 Capital Improvement Program.

DISCUSSION:

On February 16, 2021, Mayor and Council Communication (M&C) 21-0128 authorized an engineering agreement with Freese and Nichols, Inc., (City Secretary Contract No. 55399) in the amount of \$1,001,447.00 for the preparation of plans and specifications for the design of the 3rd Barrel Parallel Sanitary Sewer to the Twin 90-inch Sewers Serving the Village Creek Wastewater Treatment Plant, Bank Protection at the Village Creek Wastewater Treatment Plant and Pipeline Erosion Analysis at Five Low Water Crossings project. The agreement was subsequently revised by the following amendments:

Amendment No. 1, in the amount of \$94,871.00, administratively authorized October 8, 2021, that provided for additional design efforts for the preparation of a necessary individual permit from the United States Army Corps of Engineers, additional tree and topographic survey and additional archaeological survey.

Amendment No. 2, in the amount of \$169,005.00, authorized August 9, 2022 (M&C 22-0590), that provided for design and survey services for a soil-supporting concrete encasement for the portion of the project sewer main that is adjacent to an existing pond, additional geotechnical investigation, additional archeological survey and design for the replacement of an existing conflicting 10-inch sanitary sewer main.

Amendment No. 3, in the amount of \$35,396.00, administratively authorized October 6, 2022, that provided for design and environmental services for an additional 1,300 feet of sewer main in the Mary's Creek Basin.

Amendment No. 4, in the amount of \$64,597.00, administratively authorized August 23, 2023, that provided for additional coordination with the Texas Historical Society, additional topographical/ archaeological investigation and alignment modification.

Amendment No. 5, in the amount of \$796,720.00, authorized December 10, 2024 (M&C 24-1126) that provided for the preparation of plans and specifications for the replacement of the existing deteriorated 60 and 70-inch raw water mains, which cross the West Fork Trinity River at the Fort Worth/River Oaks City boundaries, which is the one of the low water crossings for which erosion analysis was conducted in the original agreement.

Amendment No. 6, in the amount of \$381,300.00, authorized January 28, 2025 (M&C 25-0073) that provided for construction management and resident project representative during construction of the Village Creek Water Reclamation Facility Biosolids Facility Bank Stabilization project, which is one of the five low water crossings for which erosion analysis was conducted in the original agreement.

Amendment No. 7 will provide for design bank stabilization and aerial crossing replacements for Sewer Mains M-33BA (78-inch diameter) and M-280A (96-inch diameter) which both cross a tributary of the West Fork Trinity River. The proposed improvements must be conducted in order to prevent collapse of the crossings and both locations are part of the low water crossings for which erosion analysis was conducted in the original agreement. The amendment will also provide compensation for design efforts for emergency design at two break locations on M-244.

In addition to the contract cost, \$60,000.00 is required for additional project management.

It is the practice of the Water Department to appropriate its Capital Improvement Program (CIP) plan throughout the Fiscal Year, instead of within the annual budget ordinance, as projects commence, additional funding needs are identified, and to comply with bond covenants.

Funding is budgeted in the Commercial Paper project within the W&S Rev Bonds Series 2025 Fund for the Water Department for the purpose of funding the 3rd Main to West Trunk Mains project.

Funding for the 3rd Main to West Fork Trunk Mains are depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
56019 – W&S Rev Bonds Series 2021	\$1,616,032.00	\$0.00	\$1,616,032.00
56022 – W&S Rev Bonds Series 2024	\$961,720.00	\$0.00	\$961,720.00
56023 – W&S Rev Bonds Series 2025	\$10,575,812.00	\$417,780.00	\$10,993,592.00
Project Total	\$13,153,564.00	\$417,780.00	\$13,571,344.00

*Numbers rounded for presentation purposes.

The project is located in COUNCIL DISTRICT 5.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Commercial Paper project within the W&S Rev Bonds Series 2025 Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the W&S Rev Bonds Series 2025 Fund for the 3rd Main to W Trunk Mains project to support the execution of the amendment. Prior to an expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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Expedited