

# Mayor and Council Communication

**DATE:** 04/23/24

**M&C FILE NUMBER:** M&C 24-0361

**LOG NAME:** 60WEMERCON17CO1-CONATSER

**SUBJECT**

(ALL) Authorize Execution of Change Order No.1 in the Amount of \$147,824.36 to the First Renewal of the 2017 Water Emergency Response Contract with Conatser Construction TX, LP to Fund Emergency Work Ordered Under the Contract and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2024-2028 Capital Improvement Program

**RECOMMENDATION:**

1. Authorize execution of Change Order No. 1 in the amount of \$147,824.36, to City Secretary Contract No. 49164-R1, with Conatser Construction TX, LP for the 2017 Water Emergency Response Contract project to fund emergency work ordered under the contract; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$147,825.00 transferred from available PayGo funds within the Water and Sewer Fund, for the purpose of funding the 2017 Water Emergency Response Contract Project (City Project No. 100774) and to effect a portion of Water’s contribution to the Fiscal Years 2024-2028 Capital Improvement Program.

**DISCUSSION:**

On May 2, 2017, Mayor and Council Communication (M&C) C-28216 authorized execution of a contract in the amount of \$1,250,000.00, for the 2017 Water Emergency Response Contract (City Secretary Contract No. 49164) and provided for the option of two renewals.

On January 12, 2021, M&C 21-0057 authorized the first renewal in the amount of \$1,250,000.00 to 2017 Water Emergency Response Contract with Conatser Construction TX, LP.

Three emergency work orders recently issued under Renewal No. 1, included work for the replacement of a tee on a large concrete water main at 1100 Alameda Street, the replacement of a blow-off valve on a 24" water main at 900 North Henderson Street and the exploratory excavation of a conflicting 54-inch raw water main near 11000 Old Weatherford Road to allow for repairs to be made to another water main.

Change Order No. 1 is necessary to add funding in the amount of \$147,824.36 to the contract sufficient to complete this work.

It is the practice of the Water Department to appropriate its 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. 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, as follows:

**60WEMERCON17CO1-CONATSER**

Capital Fund Name	Project Name	FY2024 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2024 Budget
Fund 56002 - Water W&S Capital Projects	100774 – Water Emergency Response Contr	\$0.00	This M&C	\$147,824.36	\$147,824.36

Funding is budgeted in the Transfer to Water/Sewer account of the Sewer operating budget to fund the Water portion of this contract for the purpose of funding the Water Emergency Response Contract project within the Water & Sewer Capital Projects Fund.

**FY2024 – Water PAYGO Appropriations per City Ordinance 26453-09-2023**

Fund/Account	Name	FY2024 Appropriations	Additions/Reductions	YTD M&C	FY2024 Remaining Balance
56001-5956001	Transfer to Water/Sewer	\$84,505,035.00	\$0.00	\$70,529,565.36	\$13,975,469.64

Note: there may be other pending actions or recently approved actions that are not reflected in the table due to timing.

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

Appropriations for Water Emergency Response Contract project are as depicted below:

<b>Fund</b>	<b>Existing Appropriations</b>	<b>Additional Appropriations</b>	<b>Project Total*</b>
W&S Capital Projects - Fund 56002	\$3,180,260.60	\$147,824.36	\$3,328,084.96
<b>Project Total</b>	<b>\$3,180,260.60</b>	<b>\$147,824.36</b>	<b>\$3,328,084.96</b>

**\*Numbers rounded for presentation purposes.**

DVIN: A waiver of the goal for Business Equity subcontracting requirements was requested, and approved by the DVIN, in accordance with the applicable Ordinance, because the purchase of goods or services is from sources where subcontracting or supplier opportunities are negligible.

This project is located in ALL COUNCIL DISTRICTS.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the Water & Sewer Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the W&S Capital Projects Fund for Water Emergency Response Contr project. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** Fernando Costa 6122

**Originating Business Unit Head:** Chris Harder 5020

**Additional Information Contact:** Adolfo Lopez 7829