

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 12/09/25 M&C FILE NUMBER: M&C 25-1135

LOG NAME: 2020AVONDALE HASLET - DEVELOPER CONTRIBUTION

SUBJECT

(CD 10) Authorize Execution of a Developer Funding Agreement in the Amount of \$1,129,570.00 with Beaten Path Development, LLC for the Purpose of Design and Construction of Intersection Improvements at Avondale Haslet Road and Wagley Robertson Road Project, Authorize Execution of Amendment No. 6 to City Secretary Contract No. 49555 with HDR Engineering, Inc., in the Amount of \$144,250.00 for Additional Engineering Services for the Avondale Haslet Road Project, Adopt Appropriation Ordinance and Amend the Fiscal Years 2026-2030 Capital Improvement Program (2022 Bond Program)

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of a Developer Funding Agreement in the amount of \$1,129,570.00 with Beaten Path Development, LLC for the purpose of design and construction of intersection improvements at Avondale Haslet Road and Wagley Robertson Road project (City Project No. 101014);
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Developer Contribution Fund, in the amount of \$1,129,570.00, from future revenues within Developer Cash Contributions, for the purpose of funding the design and construction of two future intersections on Avondale Haslet Road project (City Project No. 101014);
3. Authorize execution of Amendment No. 6 to City Secretary Contract No. 49555, an engineering agreement with HDR Engineering, Inc., in the amount of \$144,250.00 for engineering services for the design of Avondale Haslet Road project, for a revised contract amount of \$3,678,598.00 (City Project Number 101014); and
4. Amend the Fiscal Years 2026-2030 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor & Council Communication (M&C) is to appropriate eligible Future Improvement Agreement funding from Beaten Path Development LLC, in the amount of \$1,129,570.00 for the Avondale Haslet Road project. The developer has requested that the City modify its Avondale Haslet Road design and construct roadway modifications for the future Avondale Haslet Road and Wagley Robertson Road intersection as part of the City project, to avoid damaging Avondale Haslet Road after construction.

The improvements include the future Wagley Robertson intersection and turn lane improvements at the future Newcomer Way. These improvements are estimated to cost as follows: Design Cost - \$90,000.00; Construction Cost - \$797,490.00. The full amount of \$887,490.00 is being collected from the developer via a Developer Funding Agreement. Per the agreement, upon final accounting of actual costs, if any additional amount is owed for design or construction, the developer shall remit it to the City. If any credit or refund is owed to the developer, the City shall remit to the developer.

In addition, a traffic signal will be required at the future Wagley Robertson/Newcomer Way intersection. The developer is only responsible for 36% of the traffic signal's cost in accordance with development proportionality policies. The developer will make a one-time payment of \$242,080.00 for their share of the design and construction of the traffic signal. Funding in the amount of \$335,440.00 for the balance of the signal design and construction cost will be provided by the Avondale Haslet project. If there is a default, there are funds available in the 2018 and 2022 Bond Program Funds.

This M&C will authorize execution of Amendment No. 6 to the engineering and services agreement with HDR Engineering, Inc., in an amount of \$144,250.00 for the engineering services associated with this Developer Funding Agreement and additional subsurface utility services to help with franchise utility relocation.

The following table summarizes previous contract actions and amendments:

| M&C | Amount | Justification | M&C No. | Date |
|------------------|----------------|--|-------------|------------|
| Initial Contract | \$400,000.00 | Small project kickoff contract to generate an initial schematic design for the original scope | M&C C-28288 | 06/20/2017 |
| Amendment No.1 | \$843,000.00 | Amendment for full development of plans, specifications, and estimates | M&C C-28764 | 06/26/2018 |
| Amendment No.2 | \$1,746,516.00 | Amendment to produce plans, specifications, estimates, right-of-way exhibits, bidding, and construction management for the augmented 4-lane divided design scope | M&C 21-2026 | 03/23/2021 |

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|-------------------------|----------------|---|---------------------------|------------|
| Amendment No.3 | \$61,952.00 | Amendment to address scope changes in the survey and right-of-way exhibits | Administratively Approved | 08/15/2023 |
| Amendment No.4 | \$382,936.00 | Amendment to address additional environmental documentation, traffic design, and franchise utility potholes | M&C 24-0275 | 04/09/2024 |
| Amendment No.5 | \$99,944.00 | Amendment to address additional utility coordination, drainage, water, and sewer design | Administratively Approved | 01/31/2025 |
| Amendment No.6 | \$144,250.00 | Developer-initiated intersections, subsurface utility services | This M&C | |
| Revised Contract Amount | \$3,678,598.00 | | | |

This project is included in the 2018 and 2022 Bond Programs. The funding for this project is shown in the following table:

| Fund | Existing Funding | Additional Funding | Project Total |
|--|------------------------|-----------------------|------------------------|
| 34018- 2018 Bond Program Fund | \$12,080,000.00 | \$0.00 | \$12,080,000.00 |
| 34027 - 2022 Bond Program Fund | \$26,222,128.54 | \$0.00 | \$26,222,128.54 |
| 30108 - Transportation Impact Fee Capital Fund | \$5,500,000.00 | \$0.00 | \$5,500,000.00 |
| 30106 - Intergovernmental Contribution Fund | \$19,300,000.00 | \$0.00 | \$19,300,000.00 |
| 34017 - Tax Note 2017 | \$500,000.00 | \$0.00 | \$500,000.00 |
| 30433 - Tax Notes Series 2025 | \$5,150,000.00 | \$0.00 | \$5,150,000.00 |
| 56023 - W&S Rev Bonds Series 2025 | \$228,346.00 | \$0.00 | \$228,346.00 |
| 30104 - Developer Contribution Fund | \$0.00 | \$1,129,570.00 | \$1,129,570.00 |
| Project Total | \$68,980,474.54 | \$1,129,570.00 | \$70,110,044.54 |

Funding for these intersection improvements in the project was not included in the FY2026-2030 Capital Improvement Program because the developer proposed these improvements to the City after the project scope was finalized. The action in this M&C will amend the FY2026-2030 Capital Improvement Program as approved in connection with Ordinance 27979-09-2025.

This project is included in the 2022 Bond Program. The City's Extendable Commercial Paper (ECP) (M&C 22-0607; Ordinance 25765-08-2022) provides liquidity to support the appropriation. Available resources will be used to actually make any interim progress payments until the debt is issued. Once debt associated with a project is sold, debt proceeds will reimburse the interim financing source in accordance with the statement expressing official intent to reimburse, that was adopted as part of the ordinance canvassing the bond election (Ordinance 25515-05-2022).

The project is located in COUNCIL DISTRICT 10.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations, execution of the contract, and adoption of the attached appropriation ordinances, funds will be deposited into the Developer Contribution Fund as appropriated. The Transportation and Public Works Department (and Financial Management Services) is responsible for the collection and deposit of funds due to the City. Prior to any expense being incurred, the Transportation and Public Works Department also has the responsibility to validate the availability of funds.

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Expedited