

Mayor and Council Communication

DATE: 05/14/24

M&C FILE NUMBER: M&C 24-0393

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

SUBJECT

(CD 3 and CD 9) Authorize Execution of Change Order No. 2, with a Net Total Amount of \$1,657,740.00 after Deducts and the Addition of 190 Calendar Days, to the Contract with William J. Schultz, Inc. dba Circle C Construction Company for the Construction of Westcliff Drainage Improvements, Phase 1, and Sanitary Sewer Rehabilitation Contract 91, Part 2 and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2024-2028 Capital Improvements Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the execution of Change Order No. 2 in the amount of \$1,657,740.00 and the addition of 190 calendar days to City Secretary Contract No. 57280 a contract with William J. Schultz, Inc. dba Circle C Construction Company, for the Westcliff Drainage Improvements, Phase 1, and Sanitary Sewer Rehabilitation Contract 91 Project, Part 2, for a revised contract amount of \$16,380,492.60; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$1,443,540.00, from available PayGo residuals within 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 effect a portion of Water's Contribution to the Fiscal Years 2024-2028 Capital Improvement 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 contract was subsequently revised by Change Order No. 1 in the net amount of \$59,500.00 administratively authorized January 19, 2023, that primarily provided pay item quantity for temporary pavement repair, additional traffic control on the project and additional street cleaning. This is a combined project between the Water Department and the Transportation and Public Works (TPW) Department Stormwater Division (Stormwater).

Change Order No. 2 will provide for three main changes to the scoped project. The first change includes the construction of new water pipes on Trail Lake Drive, Wyndale Court, and Sierra Court, as requested by the Water Department as part of its cast iron replacement initiative. The change order also provides for mill and overlay paving for all streets impacted by water and sewer pipe construction in lieu of permanent pavement repair. The second change is that the Stormwater scope will add a retaining wall at the downstream pipe outfall into the channel to prevent stormwater facilities from encroaching onto adjacent properties. This change was identified after additional survey was performed during the construction phase which better defined right-of-way constraints due to slope stability issues. Lastly, the change order includes adjustments for quantity overruns such as concrete paving repair, gate valves, and block sod placement. These are due to changes brought on by existing field conditions that were encountered during construction. TPW's share of the change order is \$214,200.00, while the Water Department's share is \$1,443,540.00 (Water: \$1,006,192.00; Sewer: \$437,348.00).

The sanitary sewer component of this change order is part of the Water Department's Sanitary Sewer Overflow Initiative Program. Approximately 1,107 linear feet of cast iron water pipe will be removed and replaced as part of this change order.

Staff recommends that the contract time be extended by 190 calendar days due to the changes in scope discussed above and for the time the contractor expended assisting the Water Department with emergency water line repairs due to the February 2023 winter weather event which impacted their work schedule on the Westcliff Project.

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 action and change orders:

Construction Contract	Date	Scope	Amount
Original Contract (M&C 22-0120)	2/22/2022		\$14,663,252.60
Change Order No. 1	1/19/2023	Bid item changes such as type of water pipe installed and new bid items, such as temporary paving and trash pick up.	\$59,500.00

Change Order No. 2	Pending	Additional water pipe, mill and overlay paving, retaining wall, and quantity adjustments.	\$1,657,740.00
Revised Contract Amount			\$16,380,492.60

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, as follows:

Sanitary Sewer Rehabilitation Contract 91 project:

Capital Fund Name	Project Name	FY2024 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2024 Budget
W&S Capital Projects – Rehab Fund 56002	C01957 – SS Rehab Contract 91	\$11,064,561.00	This M&C	\$1,443,540.00	\$12,508,101.00

Appropriations for Sanitary Sewer Rehab Contract 91 project:

Fund	Existing Appropriations	Additional Appropriations	Project Total
30100 General Capital Projects (C01957)	\$1,050,034.00	\$0.00	\$1,050,034.00
56002 Water & Sewer Capital Projects Fund (C01957)	\$11,064,561.00	\$1,443,540.00	\$12,508,101.00
59601 W&S Capital Projects	\$4,000.00	\$0.00	\$4,000.00
59607 Sewer Capital Legacy	\$498,439.00	\$0.00	\$498,439.00
Project Total	\$12,617,034.00	\$1,443,540.00	\$14,060,574.00

Funding is available for appropriation from available funds within the W&S Capital Projects Fund for the purpose of funding the SS REHAB CONTRACT 91 project and funding is available within the Stormwater Capital Projects Fund for the Westcliff Drainage project.

This project is located in COUNCIL DISTRICTS 3 AND 9.

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;

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 upon approval of the above recommendations and adoption of the appropriation ordinance, funds will be available in the W&S Capital Projects Fund for the SS REHAB CONTRACT 91 project. Prior to any expenditure being incurred, the Transportation & Public Works and Water Departments have the responsibility of verifying the availability of funds.

Submitted for City Manager's Office by: Jessica McEachern 5804

Originating Business Unit Head: Lauren Prieur 6035

Additional Information Contact: Linda Young 2485