

# Mayor and Council Communication

**DATE:** 01/28/20

**M&C FILE NUMBER:** M&C 20-0048

**LOG NAME:** 2020SIXPOINTSAPPROPRIATION

**SUBJECT**

Adopt Appropriation Ordinance in the Amount of \$204,283.36 from the 2014 Bond Fund and Authorize the Execution of Amendment No 3 to a Professional Engineering Services Agreement with Freese and Nichols Inc., in an Amount not to Exceed of \$98,042.00 for a Total Revised Contract Amount of \$482,667.00 for Additional Engineering Services in the Six Points Urban Village Project and Update the FY 2020-2024 CIP (2014 Bond Program) (COUNCIL DISTRICT 9)

**RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt the attached appropriation ordinance to increase appropriations in the 2014 Bond Program in the Six Points Urban Village Project in the amount of \$204,283.36 (City Project No. C00705) from available funds; and
2. Execute amendment No 3 to a Professional Engineering Services Agreement with Freese and Nichols Inc., City Secretary Contract No 46057 in an amount not to exceed \$98,042.00 for a Total Revised Contract Amount of \$482,667.00

**DISCUSSION:**

The Six Points Urban Village project is comprised of two phases with improvements constructed along Race Street and Sylvania Avenue. Phase One is expected to be complete by the end of January 2020 and construction of Phase Two is estimated to be complete by the end of February 2020.

The purpose of this M&C is to appropriate additional funding to the Six Points Urban Village project to fund this Amendment No 3 to City Secretary Contract No 46057 with Freese and Nichols, Inc. for additional engineering services.

There have been two previously approved amendments to the original contract. The following table is a summary of the engineering services contract history:

Contract	Amount	Description	Mayor & Council Action	Date Approved
Original Contract No. 46057	\$217,925	Engineering services for design of pedestrian and streetscape improvements	M&C C-27028	October 14, 2014
Amendment One No 46057-A1	\$33,000	Additional easement acquisition services for 25 identified easements	Approved administratively	January 1, 2016
Amendment Two No 46057- A2	\$133,700	For historic resources survey, additional survey documents, additional public meetings, and TxDOT documentation	M&C C-28414	October 10, 2017

Amendment Three No 46057-A3	\$98,042	Design revisions for landscaping, irrigation, lighting and additional construction assistance services	Pending	
Total	\$482,667			

The estimated cost for these additional services performed by the Engineer is an amount not to exceed of \$98,042. City staff has reviewed the proposed fee and agrees that this amount is fair and reasonable for the services rendered.

Freese and Nichols, Inc. agrees to maintain its initial DBE commitment of 13% that it made on the original agreement and extend and maintain that same DBE commitment of 13% to all prior amendments up to and inclusive of this Amendment No. 3. Therefore Freese and Nichols, Inc. remains in compliance with the City's BOE Ordinance and attests to its commitment by its signature on the Acceptance of Previous DBE Commitment form executed by an authorized representative of its company.

These projects are included in the 2014 Bond Program. Available resources within the General Fund will be used to provide interim financing until debt is issued. Once debt associated with the project is sold, bond proceeds will reimburse the General Fund, in accordance with the statement expressing Official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance No. 21241-05-2014) and subsequent actions taken by the Mayor and City Council.

The following table demonstrates the funding history for the project:

Fund	Existing Funding	Additional Funding	Project Total
<b>Urban Villages Central Cluster – C00705</b>			
2014 Bond Program – 34014	\$4,616,616.00	\$204,283.36	\$4,820,899.36
Grants Capital Projects Federal – 31001	\$1,697,142.00	\$0.00	\$1,697,142.00
2007 Critical Capital Projects - 39001	\$244,700.00	\$0.00	\$244,700.00
Specially Funded Projects - 39007	\$80,000.00	\$0.00	\$80,000.00
<b>Project Total</b>	<b>\$6,638,458.00</b>	<b>\$204,283.36</b>	<b>\$6,842,741.36</b>
<b>Grand Total</b>	<b>\$6,638,458.00</b>	<b>\$204,283.36</b>	<b>\$6,842,741.36</b>

Funding for this project was not included in the FY2020-2024 Capital Improvement Plan due to the project being scheduled to be completed in FY 2019. The action in this M&C will update the FY2020-2024 Capital Improvement Plan.

This project is located in COUNCIL DISTRICT 9.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of this M&C and adoption of the attached appropriation ordinance, funds are available in the current capital budget, as appropriated, of the 2014 Bond Program for the Urban Villages Central Cluster Project. The Transportation and Public

Works Department has the responsibility to validate the availability of funds prior to the expenditure of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

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