

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/24/25 M&C FILE NUMBER: M&C 25-0605

LOG NAME: 20SWM CUNNINGHAM HROM DESIGN

SUBJECT

(CD 8) Authorize Execution of Amendment No. 1 to an Engineering Services Agreement with James DeOtte Engineering, Inc., in the Amount of \$124,511.00 for the Design of the Cunningham Road Hazardous Road Overtopping Mitigation Project for a Revised Total Contract Amount of \$891,008.00, Adopt an Appropriation Ordinance, and Amend the Fiscal Years 2025-2029 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 1 to an engineering services agreement with James DeOtte Engineering, Inc., (City Secretary Contract No. 58714), in the Amount of \$124,511.00 for the Design of the Cunningham Road Hazardous Road Overtopping Mitigation Project (City Project No. 104018) for a revised total contract amount of \$891,008.00;
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Drainage Revenue Bonds Series 2023 Fund, by increasing estimated receipts and appropriations in the Cunningham Rd HROM project (City Project No. 104018) in the amount of \$783,078.00, and decreasing estimated receipts and appropriations in the SW Hazardous Rd Overtopping programmable project (City Project No. P00120) by the same amount; and
3. Amend the Fiscal Years 2025- 2029 Capital Improvement Program.

DISCUSSION:

On November 29, 2022, Mayor and Council Communication (M&C) 22-1008 authorized an engineering agreement with James DeOtte Engineering, Inc. (City Secretary Contract No. 58714) in the amount of \$766,497.00 for the design of the Cunningham Road Hazardous Road Overtopping Mitigation (HROM) project. This M&C will authorize execution of Amendment No. 1 to the agreement and increase the contract amount by \$124,511.00, for a revised contract amount of \$891,008.00.

The original contract included the design and engineering services, easement acquisition, and project administration costs for the Cunningham Road HROM project. Additional contract capacity is needed for changes to design and permitting resulting from the Federal Emergency Management Agency (FEMA) and United States Army Corps of Engineers (USACE) updated requirements.

Additional funding of \$546,503.00 for right-of-way acquisition and project management is also being added to the Cunningham Road HROM project (City Project No. 104018) since funding was previously transferred from the project on April 30, 2023, via M&C 23-0321 to help fund the faster paced Fort Worth Central City Grand Avenue construction project. Additionally, this M&C will appropriate \$112,064.00 of additional project management funding needed due to a longer design timeframe to accommodate changes due to FEMA map updates and USACE comments.

The following table summarizes previous contract actions and amendments:

Agreement	Amount	Justification	M&C No.	Date
Initial Contract CSC 58714	\$766,497.00	Initial Agreement	M&C 22-1008	11/29/2022
Amendment #1	\$124,511.00	Redesign due to FEMA map changes and USACE review comments	This M&C	
Contract Total	\$891,008.00			

The action in the M&C will appropriate funds in support of the Cunningham Rd HROM project (City Project No. 104018), as follows:

Fund Name	Existing Funding	Additional Funding	Project Total

52002 - Stormwater Capital Projects (104018)	\$157,000.00	\$0.00	\$157,000.00
52007 - Stormwater Rev Bonds 2020 (104018)	\$766,497.00	\$0.00	\$766,497.00
52008 - Drainage Rev Bonds Series 2023 (104018)	\$0.00	\$783,078.00	\$783,078.00
Project Total	\$923,497.00	\$783,078.00	\$1,706,575.00

The Fiscal Years (FY) 2025- 2029 Capital Improvement Plan included \$923,497.00 in funding for this project. However, additional funding of \$783,078.00 is needed to cover extended design efforts, project management, and replenishing funds removed from the project to fund the Fort Worth Central City Grand Avenue construction project. The action in this M&C will amend the FY2025- 2029 Capital Improvement Program.

Funding is budgeted in the SW Hazardous Rd Overtopping project (City Project No. P00120) within the Drainage Rev Bonds Series 2023 Fund for the purpose of funding the Cunningham Road HROM project.

James DeOtte Engineering, Inc. agrees to maintain its initial M/WBE commitment of 11.00% that it made on the original agreement and extend and maintain that same M/WBE commitment of 11.00% to this first amendment. Therefore, James DeOtte Engineering, Inc. remains in compliance with the City's M/WBE Ordinance and attests to its commitment by its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

This project is located in COUNCIL DISTRICT 8.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Stormwater Hazardous Rd Overtopping project within the Drainage Rev Bonds Series 2023 Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Drainage Rev Bonds Series 2023 Fund for the Cunningham Rd HROM project to support the approval of the above recommendations and execution of the agreement. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

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