

Mayor and Council Communication

DATE: 08/09/22

M&C FILE NUMBER: M&C 22-0590

LOG NAME: 603RDB90INTVCBPEAPA2-FNI

SUBJECT

(CD 3, CD 4, CD 5, and CD 7) Authorize Execution of Amendment No. 2 in the Amount of \$169,005.00 to an Engineering Agreement with Freese and Nichols, Inc. for the Design of the 3rd Main to West Fork Trunk Mains Project and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 2, in the amount of \$169,005.00, to City Secretary Contract No. 55399, an engineering agreement with Freese and Nichols, Inc. for the Design of the 3rd Barrel Parallel Sanitary Sewer to the Twin 90-inch Sewers Serving the Village Creek Wastewater Treatment Plant, Bank Protection at the Village Creek Wastewater Treatment Plant and Pipeline Erosion Analysis at Five Low Water Crossings project for a revised contract amount of \$1,265,323.00; and
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Water & Sewer Revenue Bonds Series 2021 Fund, by increasing estimated receipts and appropriations in the 3rd Main to W Fork Trunk Mains project (City Project No.103128) in the amount of \$169,005.00 and decreasing appropriations in the Unspecified project (City Project No. UNSPEC) by the same amount to effect a portion of Water’s contribution to the Fiscal Years 2022-2026 Capital Improvement Program.

DISCUSSION:

On February 16, 2021, Mayor and Council Communication (M&C 21-0128) authorized an engineering agreement with Freese and Nichols, Inc., (City Secretary Contract No. 55399) in the amount of \$1,001,447.00 for the preparation of plans and specifications for the design of the 3rd Barrel Parallel Sanitary Sewer to the Twin 90-inch Sewers Serving the Village Creek Wastewater Treatment Plant, Bank Protection at the Village Creek Wastewater Treatment Plant and Pipeline Erosion Analysis at Five Low Water Crossings Project. The agreement was subsequently revised by Amendment No. 1 in the amount of \$94,871.00, administratively authorized on October 8, 2021, that provided for additional design efforts for the preparation of a necessary individual permit from the United States Army Corps of Engineers, additional tree and topographic survey and additional archeological survey.

Amendment No. 2 will provide for design and survey services for a soil-supporting concrete encasement for the portion of the project sewer main that is adjacent to an existing pond, additional geotechnical investigation, additional archeological survey and design for the replacement of an existing conflicting 10-inch sanitary sewer main.

It is the practice of the Water Department to appropriate its Capital Improvement Program (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 Department’s portion of the City of Fort Worth’s Fiscal Years 2022-2026 Capital Improvement Program, as follows:

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Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Change (Increase/ Decrease)	Revised FY2022 Budget
W&S Rev Bonds Series 2021 – Fund 56019	103128 – 3 rd Main to W Trunk Mains	\$0.00	This M&C	\$169,005.00	\$169,005.00

Funding is currently available in the Unspecified-All Funds project within the W&S Rev Bonds Series 2021 Fund for the purpose of funding the 3rd Main to W Trunk Mains project.

Appropriations for the 3rd Main to W Fork Trunk Mains are as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*

W&S Rev Bonds Series 2021 – Fund 56019	\$1,447,027.00	\$169,005.00	\$1,616,032.00
Project Total	\$1,447,027.00	\$169,005.00	\$1,616,032.00

*Numbers rounded for presentation purposes.

Business Equity: Freese and Nichols, Inc. agrees to maintain its initial M/WBE commitment of 12 percent that it made on the original agreement and extend and maintain that same M/WBE commitment of 12 percent to all prior amendments up to and inclusive of this Amendment No. 2. Therefore Freese and Nichols, Inc. remains in compliance with the City's M/WBE Ordinance and attests to its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

The project is located in COUNCIL DISTRICT 3, 4, 5 and 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the UNSPEC project within the W&S Rev Bonds Series 2021 Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the W&S Rev Bonds Series 2021 Fund for the 3rd Main to W Trunk Mains project to support the approval of the above recommendations and execution of the amendment. Prior to an expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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