

Mayor and Council Communication

DATE: 06/27/23

M&C FILE NUMBER: M&C 23-0568

LOG NAME: 20NORTH RIVERSIDE DRIVE MCMAHON CHANGE ORDER 3

SUBJECT

(CD 4) Authorize Execution of Change Order No. 3 to a Construction Contract with McMahon Contracting, Inc. in the Amount of \$341,378.14 for the North Riverside Drive from Shiver Road to North Tarrant Parkway Project for a Revised Contract Amount of \$7,007,073.23, Adopt Appropriation Ordinance and Amend the Fiscal Years 2023-2027 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Change Order No. 3 in the amount of \$341,378.14 to City Secretary Contract No. 55428 with McMahon Contracting, Inc., for North Riverside Drive from Shiver Road to North Tarrant Parkway project for a revised contract amount of \$7,007,073.23 (City Project No. 100453);
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Transportation Impact Fee Capital Fund in the amount of \$350,000.00 from available funds within Revenue - Service Area D - Transportation Impact Fees project (City Project No. UN9914) for the purpose of funding the North Riverside Drive from Shiver Road to North Tarrant Parkway project (City Project No. 100453); and
3. Amend the Fiscal Years 2023-2027 Capital Improvement Program.

DISCUSSION:

This Mayor and Council Communication (M&C) is to authorize execution of Change Order No. 3 in the amount of \$341,378.14 to City Secretary Contract No. 55428 with McMahon Contracting, Inc. for a revised contract amount \$7,007,073.23. Change Order No. 3 will provide additional contract capacity for additional improvements negotiated with Legend Fort Worth, an assisted living facility along the project that requested left turn access. Dedicated access was not incorporated in the project design due to close proximity to another left turn bay lining up with other properties. The access was not identified as an issue during public outreach during the project design phase. A one way left turn bay in the southbound direction was negotiated to improve emergency vehicle access to the facility in lieu of the full median opening being requested which would compromise safety.

Additional contract capacity is also needed to include drainage structure revisions added due to field conditions uncovered during construction and crosswalk improvements to address citizen concerns, pavement and sidewalk adjustments to meet changed field conditions. Staff has evaluated the prices for the additional work against recent similar work in the area and deem them acceptable. A total amount of \$350,000.00 in additional funding is needed to fund the project's remaining commitments.

Funding for this project was not included in the FY2023-2027 Capital Improvement Program because the additional funding need was not known at the time of CIP development. The action in this M&C will amend the Fiscal Years 2023-2027 Capital Improvement Program.

The table below illustrates the history of this contract:

Contract Action	Date	Amount
Original Contract Amount (M&C 21-0030)	1/21/2021	\$6,208,416.20
Change Order 1 (Contract Time Only)	12/27/2021	\$0.00
Change Order 2 (M&C 22-1039)	12/13/2022	\$457,278.90
Change Order 3 (This M&C)		\$341,378.14
Revised Contract Amount		\$7,007,073.24

Funding for the Project is summarized in the table below:

Fund	Existing Funding	Additional Funding	Project Total
30104 Developer Contribution	\$6,981,353.52	\$0.00	\$6,981,353.52
30108 Transportation Impact Fee Cap	\$2,100,000.00	\$350,000.00	\$2,450,000.00
Project Total	\$9,081,353.52	\$350,000.00	\$9,431,353.52

DVIN-BE: McMahon Contracting, Inc agrees to maintain its initial MBE commitment of 14% that it made on the original contract and extend and maintain that same MBE commitment of 14% to all prior change orders up to and inclusive of this Change Order No. 3. Therefore McMahon Contracting, Inc remains in compliance with the City's BDE Ordinance and attests to its commitment by its signature on the Acceptance of Previous MBE Commitment form executed by an authorized representative of its company.

This project is located in COUNCIL DISTRICT 4.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the REVENUE- SA D -Transp Imp Fees project within the Transportation Impact Fee Cap Fund and upon approval of the above recommendations and adoptions of the attached appropriation ordinance, funds will be available in the Transportation Impact Fee Cap Fund for the N Riverside Dr(Shiver NT Pkwy) project to support the approval of the above recommendations and execution of the contract change order and amendment. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: William Johnson 5806

Originating Business Unit Head: Lauren Prieur 6035

Additional Information Contact: Monty Hall 8662

Expedited