

Mayor and Council Communication

DATE: 06/11/24

M&C FILE NUMBER: M&C 24-0494

LOG NAME: 21FORT WORTH CONVENTION CENTER CMAR AMENDMENT 2

SUBJECT

(CD 9) Authorize Execution of Amendment No. 2 of the Construction Manager at Risk Contract with Hunt/Byrne/Smith, a Joint Venture, in an Amount Not to Exceed \$9,212,681.00, Including an Owner's Construction Contingency Allowance, for a Total Contract Value of \$82,212,681.00, for Phase 1 of the Fort Worth Convention Center Renovation and Expansion Project

RECOMMENDATION:

It is recommended that the City Council authorize execution of Amendment No. 2 of the construction manager at risk contract with Hunt/Byrne/Smith, a joint venture, in an amount not to exceed \$9,212,681.00, for a total contract value of \$82,212,681.00, including an owner's construction contingency allowance, for phase 1 of the Fort Worth Convention Center Renovation and Expansion project (City Project No. 102582).

DISCUSSION:

On November 29, 2022, City Council authorized the execution of a Construction Manager at Risk (CMAR) contract with Hunt/Byrne/Smith, a Joint Venture, in an amount not to exceed \$30,000,000.00 for the Fort Worth Convention Center Renovation and Expansion project while the design was being finalized. The original Mayor & City Council Communication (M&C) 22-0971 stated that the project would advance through incremental Notices to Proceed for various tasks. This allowed the contractor to order materials with long lead times, and initiate other tasks. The M&C also stated that other amendments to this contract would be required and would be recommended to the City Council for approval. On September 12, 2023, City Council authorized (M&C 23-0768) the execution of a Construction Manager at Risk (CMAR) Amendment No. 1 with Hunt/Byrne/Smith, a Joint Venture, in an amount not to exceed \$43,000,000.00, for the anticipated Phase 1 construction. As designed and construction progressed final work items were defined. Staff recommends execution of Amendment No. 2, in the amount of \$9,212,681.00, for the final portions of work associated with Phase 1.

The overall project costs are expected to be as described in table below:

| PROJECT COST | TOTAL |
|---|------------------------|
| Professional Services (Project Management & Design Contracts) | \$9,606,588.00 |
| CMAR Construction Contract (Including Owner's Construction Contingency Allowance) | \$30,000,000.00 |
| CMAR Amendment #1 | \$43,000,000.00 |
| CMAR Construction Contract Amendment #2 | \$9,212,681.00 |
| Administrative Costs (Staff Time, Additional ITS, AV, Security, Building Infrastructure, Major Maintenance, FF&E, and Moving Costs) | \$1,685,423.00 |
| Project Contingency | \$1,495,308.00 |
| TOTAL | \$95,000,000.00 |

Waiver of Building Permit Fees - In accordance with the City Code of Ordinances, Part II, Chapter 7-1 Fort Worth Building Administrative Code, Section 109.2.1, Exception 2; "Work by non-City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the work is for action under a contract that will be or has been approved by City Council with notes in the contract packages stating the

fee is waived."

DIVERSITY AND INCLUSION BUSINESS EQUITY OFFICE: Hunt-Byrne-Smith, a Joint Venture agrees to maintain its initial M/WBE commitment of 30% that it made on the original contract and extend and maintain that same M/WBE commitment of 30% to all prior change orders up to and inclusive of this Change Order No. 2. Therefore Hunt-Byrne-Smith, a Joint Venture 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.

The Fort Worth Convention Center is located in COUNCIL DISTRICT 9 and will benefit all council districts.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Certificate of Obligation 2023 Fund for the ARPA FWCC Expansion & Prj Mgmt project to support the approval of the above recommendation and execution of the amendment to the contract. Prior to any expenditure being incurred, the Public Events Department has the responsibility to validate the availability of funds.

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

Originating Business Unit Head: Marilyn Marvin 7708

Additional Information Contact: Brian Glass 8088
Nikita Watts 2028