

# Mayor and Council Communication

**DATE:** 10/20/20

**M&C FILE NUMBER:** M&C 20-0774

**LOG NAME:** 80LAKE COMO AND OAKLAND (FOSDICK) LAKE DAM DESIGN CONTRACT

## **SUBJECT**

(CD 3 and CD 8) Authorize Execution of Amendment No. 1 to City Secretary Contract No. 52866, an Engineering Agreement with Baird, Hampton & Brown, Inc., in an Amount Up to \$199,480.00 to Provide Additional Engineering Services for Dam Improvements at Lake Como and Oakland (Fosdick) Lake Dams for a Revised Contract Amount of \$309,110.00 (2018 Bond Fund)

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## **RECOMMENDATION:**

It is recommended that the City Council authorize execution of Amendment No. 1 to City Secretary Contract No. 52866, an Engineering Agreement with Baird, Hampton & Brown, Inc., in an amount up to \$199,480.00 to provide additional engineering services for dam improvements at Lake Como and Oakland (Fosdick) Lake Dams for a revised contract amount of \$309,110.00. (City Project Nos. 101592 and 101875)

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## **DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to authorize the execution of an amendment to City Secretary Contract (CSC) No. 52866, with Baird, Hampton & Brown, Inc., (BHB), in an amount up to \$199,480.00 to provide additional engineering services for the design and development of construction documents, based on the finalized engineering assessments provided by BHB. The design and construction documents will address existing dam and erosion conditions and provide design solutions for Lake Como and Oakland (Fosdick) Lake Dams. Staff considers this fee fair and reasonable for the scope of services proposed.

On December 5, 2018, the Texas Commission on Environmental Quality (TCEQ) inspected the earthen dam and spillway conditions at Lake Como Park and Oakland Lake Park. TCEQ's findings were outlined in inspection reports submitted to the City on February 19, 2019 and March 28, 2019, respectively. These reports describe required work to be performed on the dams as "major modifications" and specified requirements and recommendations that TCEQ expects the City to enact. Upon receipt of the inspection reports, the City was tasked with responding to TCEQ with a Plan of Action for each dam that generally outlined the City's intent to meet the Requirements/Recommendations section of the reports.

The City's corresponding Plan of Action for each dam stated that the City would hire a licensed professional engineer to perform assessments on the dams before determining construction options. Due to the similar nature of the overall requirements of the proposed projects, the Park & Recreation Department (PARD) determined that efficiencies would be gained by combining the assessment of both dams under one contract. City Council authorized award of a contract (CSC No. 52866) in the amount of \$109,630.00, to BHB for the assessment of both dams on September 10, 2019 (M&C 19-0117).

On June 15, 2020, BHB submitted final assessment documents. The assessments outlined the required improvements and provided options towards meeting TCEQ's Requirements/Recommendations. Under Amendment No. 1, BHB will provide engineering services and prepare design and construction documents that describe the federal, state, and local requirements for improving the existing conditions of the two dams.

Funds for the Lake Como Dam project are included in the 2018 Bond Program. Funds for the Oakland Lake Dam project are not included in the 2018 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. 23209-05-2018) and subsequent actions taken by the Mayor and Council.

Compliance with the City's Business Diversity Enterprise (BDE) Ordinance has been achieved by the following method: Baird, Hampton & Brown, Inc., is in compliance with the City's BDE Ordinance by committing to 17% SBE participation on this Amendment No. 1. The SBE goal for Amendment No. 1 is 7%.

Lake Como Dam Improvements is located in COUNCIL DISTRICT 3.

Oakland Lake Dam Improvements is located in COUNCIL DISTRICT 8.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as appropriated, within the General Capital Projects and the 2018 Bond Program Funds for the Lake Como and Oakland Lake Park projects, and that prior to expenditures being made, the Park & Recreation Department has the responsibility to validate the availability of funds.

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