

# Mayor and Council Communication

DATE: 08/03/21

M&C FILE NUMBER: M&C 21-0524

LOG NAME: 20SWM HROM SAFETY AND CLOSURE IMPROVEMENTS CONSTRUCTION

**SUBJECT**

(ALL) Authorize Execution of a Contract with The Fain Group, Inc. in the Amount of \$2,000,000.00 for the Construction of Stormwater Hazardous Road Overtopping Mitigation Safety and Closure Improvements Citywide Project

**RECOMMENDATION:**

It is recommended that the City Council authorize execution of a contract with The Fain Group, Inc. in the amount of \$2,000,000.00 for the construction of Stormwater Hazardous Road Overtopping Mitigation Safety and Closure Improvements Citywide Programmable project (City Project No. P00120) with the option to renew the contract up to two times.

**DISCUSSION:**

This Mayor and Council Communication (M&C) is to provide for a work order based, unit price construction contract for high priority citywide Hazardous Road Overtopping Mitigation (HROM) safety or closure improvement projects to better protect drivers from life-threatening road flooding. These projects may involve safety improvements such as guardrails, lighting, signage, and road markings at a stream crossing or low-lying area of a road. In some cases, the closure of a road based on recommendations from an engineering analysis and considering feedback from City staff and community members may be the preferred alternative for mitigating the risk. These safety improvement projects will not reduce road flooding but will better protect the life safety of drivers through better warning of roadway flood risks or the closure of the section of road subject to hazardous flooding.

The price of each work order will be based on the unit prices bid. The cumulative amount of all work order tasks in the initial term of this contract is expected to be \$2,000,000.00, funded from both 2020 Stormwater Revenue Bonds and Stormwater Capital Projects Funds. The bid amounts cited below were based on hypothetical quantities for the purpose of establishing unit prices for each work item. Actual payments will be made based on actual measured quantities at those bid prices. Funding will be verified individually for each work order task prior to its release. This contract may be renewed up to two times at the City's sole discretion. The term of the contract, inclusive of any renewals, will not exceed five years.

This project was advertised for bid in the *Fort Worth Star-Telegram* on April 15, 2021 and April 22, 2021. On May 13, 2021, two responses were received as follows:

Bidders	Bid Amount
The Fain Group, Inc.	\$3,037,379.57
Fort Worth Civil Constructors, LLC	\$3,588,700.00

Business Equity - THE FAIN GROUP, INC., is in compliance with the City's Business Equity Ordinance by committing to 14% Business Equity participation on this project. The City's Business Equity goal on this project is 14%.

This project is located in 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 Stormwater Capital Projects Fund for future identified task order projects related to the SW Hazardous Rd Overtopping programmable project to support the approval of the above recommendation and execution of the construction contract. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

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