

Mayor and Council Communication

DATE: 09/12/23

M&C FILE NUMBER: M&C 23-0743

LOG NAME: 06BREWER BOULEVARD (RISINGER TO MCPHERSON) -CHANGE ORDER 1

SUBJECT

(CD 6) Authorize Execution of Change Order No. 1 to City Secretary Contract No. 57694, a Community Facilities Agreement with Legacy CTW LP, for the Construction of the Eastern Lanes of Brewer Boulevard from Risinger Road to McPherson Boulevard for the Northbound Brewer Blvd Project, Increasing City Participation by \$217,173.44 for a Revised Contract Amount of \$3,617,115.33 and Amend the Fiscal Years 2023-2027 Capital Improvement Program (2014 Bond Program)

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Change Order No. 1 to City Secretary Contract No. 57694, a Community Facilities Agreement with Legacy CTW LP, for the construction of the Eastern Lanes of Brewer Boulevard from Risinger Road to McPherson Boulevard for the Northbound Brewer Blvd project (City Project No. 103435), increasing City Participation by \$217,173.44 for a revised contract amount of \$3,617,115.33; and
2. Amend the Fiscal Years 2023-2027 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize the execution of Change Order No. 1 to City Secretary Contract No. 57694, a Community Facilities Agreement (CFA) with Legacy CTW LP (Developer), for the construction of the eastern two lanes, a standard median, and a ten-foot shared path from Risinger Road to McPherson Boulevard. This project was included in the 2014 Bond Program.

Brewer Boulevard from Risinger Road to north of Saddle Pack Drive was included in the 2014 Bond Program. In lieu of a city-led project, as development occurred south of the proposed bond project, the funds for the bond program have been incorporated into developer's CFAs. The wester lanes of Brewer Boulevard were constructed with the Chisholm Trail Ranch Phase 2 development. On April 12, 2022, by and through Mayor and Council Communication (M&C) 22-0256, the City Council authorized the execution of the community facilities agreement with Legacy CRW LP, with City participation in an amount not to exceed \$700,000.00 for construction of the eastern lanes of Brewer Boulevard.

Change Order No. 1 will extend Brewer Boulevard north to Risinger Road. This scope of work, which was approved as part of the 2014 Bond Program was previously part of the scope of work for the Silver Dollar Storage CFA. City staff is requesting to transfer this scope of work to the Northbound Brewer Boulevard project so Brewer Boulevard will be constructed by the same Developer.

Funding for this project was not included in the Fiscal Years(FY) 2023-2027 Capital Improvement Program due to incorporating a 2014 Bond Program project into a developer CFA in order to oversize the developer's project. The developer is responsible for \$3,054,495.04 in construction costs for the Northbound Brewer Boulevard project . The action in this M&C will amend the FY 2023-2027 Capital Improvement Program as approved in connection with Ordinance No. 25073-09- 2021.

Funding is budgeted in the TPW Dept Highway & Streets Department's 2014 Bond Program Fund for the purpose of funding the CFA-Northbound Brewer Blvd project, as appropriated.

The project is located in COUNCIL DISTRICT 6.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the 2014 Bond Program Fund for the CFA-Northbound Brewer Blvd project to support the approval of the above recommendations and execution of the change order. 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: Dana Burghdoff 8018

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact:

Tammy Lewis 2677