

Mayor and Council Communication

DATE: 06/27/23

M&C FILE NUMBER: M&C 23-0531

LOG NAME: 60NTESEG3CA3-KHA

SUBJECT

(CD 4 and CD 7) Authorize Execution of Amendment No. 3 in the Amount of \$336,200.00 to an Engineering Agreement with Kimley-Horn and Associates, Inc. for the North Tarrant Express Segment Project and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 3 to City Secretary Contract No. 46834 in the amount of \$336,200.00, an engineering agreement with Kimley-Horn and Associates, Inc., for design oversight and project management services on North Tarrant Express Segment 3C, Interstate Highway 35W from United States Highway 81/287 to Alliance Boulevard, for a Total Revised Contract in the Amount of \$1,005,700.00; and
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Water & Sewer Bond 2016 Fund, by increasing estimated receipts and appropriations in the North Tarrant Express Segment project (City Project No.C02635) in the amount of \$436,200.00, and decreasing estimated receipts and appropriations in the Unspecified-All Funds project (City Project No. UNSPEC) by the same amount to effect a portion of Water’s contribution to the Fiscal Years 2023-2027 Capital Improvement Program.

DISCUSSION:

On June 23, 2009, Texas Department of Transportation (TXDOT) entered into a 10-year agreement with North Tarrant Express Mobility Partners (NTEMP) to identify and construct highway improvements in northeastern part of Tarrant County including portions of Interstate Highway (IH) 35W, IH 820, and State Highway (SH) 183 corridors within the City of Fort Worth (City). TXDOT and NTEMP control the schedule timeline, the scope, and the total cost of this project. These improvements affect the City’s water and wastewater infrastructure which often require relocation.

On July 9, 2015, the City executed an administrative engineering agreement with Kimley-Horn and Associates, Inc., in the amount of \$49,500.00 for design oversight and project management services on North Tarrant Express Segment 3C on IH 35W from United States Highway (US) 81/287 to Alliance Boulevard. The agreement was subsequently revised by Amendment No. 1 in the amount of \$120,000.00 authorized on September 13, 2016, Mayor and Council Communication (M&C) C-27910, that provided for additional design oversight and project management and Amendment No. 2 in the amount of \$500,000.00 authorized on December 14, 2021 (M&C) 21-0993 that provided increased design and project management on the project.

Amendment No. 3 will provide the following additional services as NTEMP continues to expand the limits of the highway project:

- Project management
- Plan reviews of drawings provided by the contractor or other engineers
- Construction support services including attend preconstruction meetings, on-site observations, construction progress meetings, and shop drawing reviews
- Project meetings with the City, stakeholders, contractors, other consultants, and citizens
- Conflict analysis along IH-35W

In addition to the contract amount, \$100,000.00 (\$50,000.00 water, \$50,000.00 sewer) is required for project management and inspection.

NTEMP will reimburse the City for this amendment and future amendments as needed for this project. The design and construction of the water and sanitary sewer extensions west of IH 35W, are located outside TXDOT’s project limits, and are not eligible for reimbursement.

It is the practice of the Water Department to appropriate its Capital Improvement Program (CIP) plan throughout the fiscal year, instead of within the annual budget ordinance, as projects commence, additional funding needs are identified, and to comply with bond covenants. The actions in the M&C will appropriate funds in support of the Water’s portion of the City of Fort Worth’s Fiscal Years 2023-2027 Capital Improvement Program, as follows:

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Capital Fund Name	Project Name	FY2023 CIP Appropriations	Authority	Budget Change (Increase/ Decrease)	Revised FY2023 Budget

Water/Sewer Bonds 2016 – Fund 56005	C02635 – North Tarrant Express Segment	\$0.00	This M&C	\$436,200.00	\$436,200.00
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Funding is currently available in the Unspecified-All Funds project within the Water/Sewer Bond 2016 fund for the purpose of funding the North Tarrant Express Segment project.

Funding for the Construction Services on North Tarrant Express Segment Project is as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
Water Capital - Fund 59601	\$512,890.00	\$0.00	\$512,890.00
Sewer Capital Legacy - Fund 59607	\$235,530.00	\$0.00	\$235,530.00
Water/Sewer Bond 2016– Fund 56005	\$720,000.00	\$436,200.00	\$1,156,200.00
Project Total	\$1,468,420.00	\$436,200.00	\$1,904,620.00

*Amounts rounded for presentation purposes.

This project will have no impact on the Water Department's operating budget when complete.

Business Equity: A waiver of the goal for Business Equity subcontracting requirement was requested, and approved by the DVIN because the business equity subcontracting services are no longer able to complete the necessary services needed as part of the construction phase services.

This project is located in COUNCIL DISTRICTS 4 and 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Unspecified – All Funds project within the Water/Sewer Bond 2016 Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Water/Sewer Bond 2016 Fund for the North Tarrant Express Segment project to support the approval of the above recommendations and execution of the amendment. Prior to any expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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

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Expedited