

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/24/25 M&C FILE NUMBER: M&C 25-0589

LOG NAME: 202022 BOND YEAR 2 CONTRACT 10 – CO3

SUBJECT

(CD 2) Authorize Execution of Change Order No. 3, in the Amount of \$400,000.00 and the Addition of 45 Calendar Days to the Construction Contract with McClendon Construction Company, Inc. for the 2022 Bond Year 2 Contract 10 Project; for a Total Revised Contract Amount of \$7,674,236.25, Adopt Appropriation Ordinance, and Amend the Fiscal Years 2025-2029 Capital Improvement Program (2022 Bond Program)

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Change Order No. 3, in the amount of \$400,000.00, and the addition of 45 calendar days to City Secretary Contract No. 61864 with McClendon Construction Company, Inc. for the construction of the 2022 Bond Year 2 Contract 10 project (City Project No. 104243); for a total revised contract amount of \$7,674,236.25;
2. Adopt the attached appropriation ordinance adjusting appropriations in the 2022 Bond Program Fund, by increasing appropriations in the 2022 Bond Year 2 - Contract 10 project (City Project No. 104243) in the amount of \$100,000.00, and decreasing appropriations in the Street Improvement Deteriorating Streets programmable project (City Project No. PB0019) by the same amount; and
3. Amend the Fiscal Years 2025-2029 Capital Improvement Program.

DISCUSSION:

On June 25, 2024, Mayor and Council Communication (M&C) 24-0556, awarded City Secretary Contract No. 61864 in the amount of \$7,274,263.25 to McClendon Construction Company, Inc., for the construction of the 2022 Bond Year 2 Contract 10 project (City Project No. 104243) at N Houston Street, Lincoln Avenue and NW 15th Street.

Two subsequent change orders revised the contract. On November 20, 2024, Change Order No. 1, administratively authorized 85 additional linear feet of 12" waterline at the intersection of NW 24th Street and Houston at no additional cost. Change Order No. 2, administratively authorized on May 06, 2025, provided bid items for the relocation of existing fire hydrants and installation of new concrete water meter boxes at no additional cost.

This Change Order No. 3 will add a new bid item for concrete pavement removal. During the removal of the existing pavement along N Houston Street and Lincoln Avenue, concrete pavement beneath the existing surface was found that was not originally identified. In order to properly install the new concrete pavement and subgrade as designed, this existing concrete needs to be fully removed. This change order provides the necessary funding to cover the cost associated with this additional scope of work.

The staff has reviewed and verified the quantities for the additional work under this Change Order No. 3. Additionally, to complete the work, the staff recommends extending the contract by 45 calendar days, and use of the remaining project funds and contingency in the 2022 Bond Program - Fund to fund part of the paving portion of this change order.

The following table summarizes previous contract action and change orders:

Construction Contract	M&C	Date	Amount
Original Contract Amount	24-0556	06/25/2024	\$7,274,236.25
Change Order No. 1	Administrative	11/20/2024	\$0.00
Change Order No. 2	Administrative	05/06/2025	\$0.00
Change Order No. 3	Pending	This M&C	\$400,000.00
Revised Contract Amount			\$7,674,236.25

The action in this M&C will amend Transportation and Public Work's contribution to the Fiscal Years 2025-2029 Capital Improvement Program as follows:

Capital Fund Name	Project Name	Existing Appropriations	Budget Change Increase/Decrease	Revised FY2024 Budget
2022 Bond Program - Fund 34027	Street Imprv- Deteriorating Sts- PB0019	\$29,853,993.59	(\$100,000.00)	\$29,753,993.59

Appropriations for the paving improvements for 2022 Bond Year 2 - Contract 10 project by Fund will consist of the following:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
2022 Bond Program - Fund 34027	\$6,226,461.00	\$100,000.00	\$6,326,461.00
W&S Capital Projects - Fund 56002	\$2,653,776.00	\$0.00	\$2,653,776.00
Stormwater Capital Projects- Fund 52002	\$200,000.00	\$0.00	\$200,000.00
Project Total	\$9,080,237.00	\$100,000.00	\$9,180,237.00

*Numbers rounded for presentation purposes.

This change order will have no impact on the Transportation and Public Works Department’s annual operating budget. Funding is budgeted in the Street Improvement-Deteriorating Streets programmable project (City Project No. PB0019) for the Transportation and Public Works Department for the purpose of funding the 2022 Bond Year 2 Contract 10 project, as appropriated.

This project is included in the 2022 Bond Program. The City's Extendable Commercial Paper (ECP) (M&C 22-0607; Ordinance 25765-08-2022) provided liquidity to support the appropriation. Available resources will be used to make any interim progress payments until debt is issued. Once debt associated with a project is sold, debt proceeds will reimburse the interim financing source in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance 25515-05-2022).

DVIN/Business Equity: McClendon Construction Company, Inc. agrees to maintain its initial M/WBE commitment of 22.62% that it made on the original contract and extend and maintain that same M/WBE commitment of 22.62% to all prior change orders up to and inclusive of this Change Order No. 3. Therefore, McClendon Construction Company, Inc. 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.

This project is located in COUNCIL DISTRICT 2.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Street Imprv-Deteriorating Sts programmable project within the 2022 Bond Program Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the 2022 Bond Program Fund for the 2022 Bond Year 2- Contract 10 project to support the approval of the above recommendations and the execution of Change Order No. 3. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

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Expedited