

Mayor and Council Communication

DATE: 11/28/23

M&C FILE NUMBER: M&C 23-1011

LOG NAME: 60MEADOW LAKES PHASE 2 WATER & SEWER

SUBJECT

(CD 7) Authorize Execution of a Community Facilities Agreement with Elite Development and Construction LLC, with City Participation in the Amount Not to Exceed \$519,365.48, for Oversizing an 8-Inch Sewer Main to a 15-Inch Sewer Main, Oversizing a 12-inch Sewer Main to a 24-inch Sewer Main, and Constructing 8-inch Water and Sewer Mains for Anticipated Future Growth in Northwest Fort Worth and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to Fiscal Year’s 2024 – 2028 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the execution of a Community Facilities Agreement with Elite Development and Construction LLC, with City participation in an amount not to exceed \$519,365.48, for oversizing an 8-inch sewer main to a 15-inch sewer main, oversizing a 12-inch sewer main to a 24-inch sewer main, and constructing 8-inch water and sewer mains for anticipated future growth in northwest Fort Worth; and
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Water & Sewer Bond 2015A by increasing estimated receipts and appropriations in the CFA Bucket Programmable project (City Project No. P00001) in the amount of \$591,000.00 and decreasing estimated receipts and appropriations in the Unspecified-All Funds project (City Project No. UNSPEC) by the same amount for the purpose of funding the Community Facilities Agreement – Meadow Lakes Phase II project (City Project No. 104081) and to effect a portion of Water’s contribution to the Fiscal Years 2024-2028 Capital Improvement Program.

DISCUSSION:

Elite Development and Construction LCC, (Developer) is constructing Meadow Lakes Phase II (Development) west of Hodgkins Road and north of Lakeside Drive.

The Water Department is seeking to participate to oversize an 8-inch sewer main to a 15-inch sewer main and to oversize a 12-inch sewer main to a 24-inch sewer main to provide more capacity to the existing lift station for future growth in the surrounding area. In addition, the Developer will construct 8-inch water and sewer extensions in Hatch Rd in lieu of the City constructing the sewer extensions as a capital improvement project due to the Developer being able to complete improvements in a more timely manner.

The Meadow Lakes Phase II project is assigned City Project No. 104081 and Accela System Record IPRC22-0078.

In accordance with Chapter 212, Subchapter C of the Texas Local Government Code, the City’s participation in the contract is exempt from competitive bidding requirements because the City’s participation is limited to 30% of the contract price (100% for oversizing) for the public improvements being constructed by the Developer, the Developer will execute a performance bond to cover the total project cost, including all of the City’s cost participation, and the City’s cost participation will be determined in accordance with the City’s Community Facilities Agreement (CFA) unit price ordinance.

The City’s cost participation in the construction and oversizing of the water mains is estimated to be in an amount not to exceed \$519,365.48 as shown in the table below. Payments to the Developer are estimated to be \$476,373.01 for construction costs, \$18,825.00 for design services, and \$9,527.46 for material testing costs. The City’s cost participation also includes \$14,640.00 to cover the City’s portion of construction inspection service fees, administrative material testing service fees, and water lab testing fees. An additional \$71,455.95 in contingency funds will cover the City’s portion of any change orders.

A. Construction	Developer Cost	City Cost	Total Cost
1. Water	\$793,409.48	\$69,380.24	\$862,789.72
2. Sewer	\$1,137,875.14	\$406,992.77	\$1,544,867.91
Subtotal	\$1,931,284.62	\$476,373.01	\$2,407,657.63

Contingency 15%	\$0.00	\$71,455.95	\$71,455.95
3. Drainage Improvements	\$388,704.32	\$0.00	\$388,704.32
4. Paving Improvements	\$1,503,943.50	\$0.00	\$1,503,943.50
5. Street Lights Improvements	\$153,605.00	\$0.00	\$153,605.00
6. Street Sign Improvements	\$12,000.00	\$0.00	\$12,000.00
Construction Fees:			
B. Construction Inspection Fee (190 days)	\$60,000.00	\$11,400.00	\$71,400.00
C. Administration Material Testing Fee	\$9,310.00	\$2,940.00	\$12,250.00
D. Water Testing Lab Fee	\$750.00	\$300.00	\$1,050.00
E. Material Testing Cost	\$0.00	\$9,527.46	\$9,527.46
F. Design Services	\$0.00	\$18,825.00	\$18,825.00
Total Project Cost	\$4,059,597.44	\$590,821.42	\$4,650,418.86

*Numbers will be rounded up for accounting purposes.

The reimbursement of the participation, excluding inspection and material testing fees, is not a lump-sum amount and may be less than the stated amount depending upon the actual quantities and unit prices from the Notice of Final Completion package, commonly referred to as the Green Sheet package.

It is the practice of the Water Department to appropriate its 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 amend the City of Fort Worth's Fiscal Year 2024-2028 Capital Improvement Program as follows:

Meadow Lakes Phase 2 Water & Sewer

Capital Fund Name	Project Name	FY2024 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2024 Budget
Water & Sewer Bond 2015A - Fund 56007	P00001 - CFA Bucket	\$0.00	This M&C	\$591,000.00	\$591,000.00

Funding is available in the Unspecified-All Funds project within the Water & Sewer Bond 2015A Fund for the purpose of funding the CFA Bucket programmable project for the purpose of funding the CFA- Meadow Lakes Phase II project.

Funding for the Community Facility Agreement (CFA) – Meadow Lakes Phase II as depicted in the table below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
------	-------------------------	---------------------------	----------------

Water & Sewer Bond 2015A Fund 56007	\$0.00	\$591,000.00	\$591,000.00
Project Total	\$0.00	\$591,000.00	\$591,000.00

BUSINESS EQUITY- A goal is not required under Business Equity Ordinance 25165-10-2021 when City spending participation on Community Facilities Agreements are less than \$1,000,000.00 dollars.

This project is located in COUNCIL DISTRICT 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 2015A Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Water & Sewer Bond 2015A Fund for the CFA Bucket programmable project for the purpose of funding the CFA-Meadow Lakes Phase II project to support the approval of the above recommendations and execution of the agreement. Prior to an 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

Originating Business Unit Head: Chris Harder 5020

Additional Information Contact: Suby Varughese 8009