

Mayor and Council Communication

DATE: 06/28/22

M&C FILE NUMBER: M&C 22-0527

LOG NAME: 20SWM 28TH STREET AT DECATUR HROM CONSTRUCTION

SUBJECT

(CD 2) Authorize Execution of a Contract with Humphrey & Morton Construction Company, Inc., in the Amount of \$4,899,910.00 for the 28th Street at Decatur Hazardous Road Overtopping Mitigation Project, Adopt Attached Appropriation Ordinances and Amend the Fiscal Years 2022-2026 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of a contract with Humphrey & Morton Construction Company, Inc., in the amount of \$4,899,910.00 for Unit 1 of the 28th Street at Decatur Hazardous Road Overtopping Mitigation project (City Project No. 103052);
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Stormwater Capital Projects Fund, in the amount of \$600,000.00, from available funds, for the purpose of funding the the 28th Street at Decatur HROM Project (City Project No. 103052);
3. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Capital Projects Fund by increasing estimated receipts and appropriations in the 28th Street at Decatur HROM Project (City Project No. 103052) in the amount of \$200,000.00, and decreasing estimated receipts and appropriations in the SW Hazardous Rd Overtopping Programmable project (City Project No. P00120) by the same amount;
4. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Rev Bonds 2020 Fund by increasing estimated receipts and appropriations in the 28th Street at Decatur HROM Project (City Project No. 103052) in the amount of \$1,000,000.00, and decreasing estimated receipts and appropriations in the SW Hazardous Rd Overtopping Programmable project (City Project No. P00120) by the same amount; and
5. Amend the Fiscal Years 2022-2026 Capital Improvement Program.

DISCUSSION:

Approval of this Mayor and Council Communication (M&C) will authorize execution of a contract for the 28th Street at Decatur Hazardous Road Overtopping Mitigation (HROM) construction project. This project will reduce the risk of flooding in the intersection of 28th Street and Decatur Avenue by improving the capacity of Lebow Channel, thereby protecting the life safety of the public.

This project was advertised for bid in the *Fort Worth Star-Telegram* on February 17, 2022, and February 24, 2022. On March 24, 2022, the following bids were received:

Bidders	Unit 1	Unit 2	Total Bid
Humphrey & Morton Construction Co., Inc.	\$4,899,910.00	\$373,624.00	\$5,273,534.00
Klutz Construction, LLC	\$5,029,771.20	\$364,066.00	\$5,393,837.20
Harper Brothers Construction, LLC	\$5,291,569.50	\$298,074.00	\$5,589,643.50
Ark Contracting, LLC	\$6,197,058.00	\$356,111.00	\$6,553,169.00
Austin Filter Systems, Inc	\$6,213,043.70	\$400,780.00	\$6,613,823.70

Unit 1 consists of stormwater funded improvements while Unit 2 consists of trail improvements. The bid received for Unit 2 is greater than the Park and Recreation Department's available funding and that funding has been re-programmed. Therefore, staff recommends awarding only Unit 1 of the contract to Humphrey & Morton Construction Co., Inc. in the amount of \$4,899,910.00. In addition to the contract amount, \$750,000.00 is required for material testing, inspection, project management, and project contingencies.

The following table summarizes the funding for 28th Str at Decatur HROM project:

Fund	Existing Funding	Additional Funding	Project Total
52002 – Stormwater Capital Projects Fund – UNSPEC	\$0.00	\$600,000.00	\$600,000.00
52002 – Stormwater Capital Projects Fund – P00120	\$0.00	\$200,000.00	\$200,000.00
52007 – Stormwater Rev Bonds 2020 Fund - P00120	\$4,900,000.00	\$1,000,000.00	\$5,900,000.00
Project Total	\$4,900,000.00	\$1,800,000.00	\$6,700,000.00

Funding for the 28th Street at Decatur HROM project was included in the Fiscal Years(FY) 2020-2024 Capital Improvement Program (CIP) in the total amount of \$4,900,000.00 (including design, construction, and other related project costs). Additional funding in the amount of \$1,800,000.00 is needed to fully fund the project through construction. The action in this M&C will amend the FY2022-2026 CIP as approved in connection with Ordinance 25073-09-2021, Section 6. Capital Improvements, page 27. In order to administratively track the spending of all funding sources in one project, appropriation ordinances are needed to move appropriations from programmable projects to the jointly funded static project.

Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2022 Budget
Stormwater Capital Projects Fund	P00120-SW HAZARDOUS RD OVERTOPPING	\$9,139,044.00	This M&C	\$(200,000.00)	\$8,939,044.00
Stormwater Rev Bonds 2020	P00120-SW HAZARDOUS RD OVERTOPPING	\$2,026,956.00	This M&C	\$(1,000,000.00)	\$1,026,956.00
Total P00120-SW Hazardous RD Overtopping Appropriations		\$11,166,000.00		\$(1,200,000.00)	\$9,966,000.00

Business Diversity: Compliance with the City's Business Equity Ordinance has been achieved by the following method: Humphrey & Morton Construction Co., Inc. is in compliance with the City's Business Equity Ordinance by committing to 29% Business Equity participation on this project. The City's Business Equity goal on this project is 24%.

This project is located in COUNCIL DISTRICT 2.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the SW Hazardous Rd Overtopping programmable project within the Stormwater Capital Projects & Stormwater Rev Bonds 2020 Funds and available in Unspecified-All Funds within the Stormwater Capital Projects Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Stormwater Capital Projects & Stormwater Rev Bonds 2020 Funds for the 28th Str at Decatur HROM project to support the approval of the above recommendations and execution of the construction contract. Prior to an expenditure being incurred, the Transportation & Public Works Department has the responsibility of verifying the availability of funds.

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

Originating Business Unit Head: William Johnson 7801

Additional Information Contact: Linda Young 2485