

Mayor and Council Communication

DATE: 01/28/25

M&C FILE NUMBER: M&C 25-0087

LOG NAME: 25PROJECT_FEE_WAIVER_REQUEST_FOR_MSA_EFFW

SUBJECT

(CD 7) Authorize Execution of Amendment No.4 to a Master Services Agreement between the City of Fort Worth and Event Facilities Fort Worth to Waive Building Permit Fees for Capital Projects Performed Under the Master Services Agreement

RECOMMENDATION:

It is recommended that the City Council authorize the execution of amendment number four to a master services agreement between the City of Fort Worth and Event Facilities Fort Worth to authorize and approve the waiver of building permit fees for projects performed under the Master Services Agreement.

DISCUSSION:

In accordance with Mayor & Council Communication 23-1064, dated December 12, 2023, the Fort Worth City Council authorized an agreement with Event Facilities Fort Worth ("EFFW"), identified as City Secretary Contract No. 61043 ("CSC No. 61043"), to manage capital improvement projects at the Will Rogers Memorial Center ("WRMC").

Under Section 334 of the Texas Local Government Code, the City is authorized to contract with EFFW to manage WRMC capital improvement projects on the City's behalf. Under this provision, EFFW will be required to follow all of the procurement rules and regulations required for the use of public funding for capital projects. This includes requirements concerning MWBE participation. EFFW is willing to provide planning and construction management services to the City for approved capital projects at WRMC, with the City reimbursing EFFW for the actual project costs, but with no additional management fee or compensation to EFFW for these services.

In accordance with the City Code of Ordinances, Part II, Chapter 7-1 Fort Worth Building Administrative Code, Section 109.2.1, Exception 2; "Work by non-City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the work is for action under a contract that will be or has been approved by City Council with notes in the contract packages stating the fee is waived."

Accordingly, the purpose of this M&C is to authorize a fourth amendment to CSC No. 61043 so that the language concerning the fee waivers, discussed above, may be incorporated into the contract package, as required to exempt EFFW from the permit fees associated with the capital improvement projects performed under CSC No. 61043. With the approval of this M&C, the City and EFFW will execute a fourth amendment to CSC No. 61043 to insert the language required to exempt EFFW from those permit fees.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that approval of this recommendation will have no material effect on City funds.

Submitted for City Manager's Office by: William Johnson 5806

Originating Business Unit Head: Michael Crum 2501

Additional Information Contact: Michael Crum 2501