

Mayor and Council Communication

DATE: 06/14/22

M&C FILE NUMBER: M&C 22-0414

LOG NAME: 60CFLS-KHA&EAGLE

SUBJECT

(CD 9) Authorize Execution of Amendment No. 3 to an Engineering Agreement with Kimley –Horn and Associates, Inc., in the Amount of \$263,400.00, for Clear Fork Lift Station, Authorize Execution of a Contract with Eagle Contracting, LLC., in the Amount of \$12,969,865.00 for Clear Fork Lift Station and Force Main, Provide for Project Costs for Project Total Amount of \$13,917,999.00, and Adopt Attached Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 3 to City Secretary Contract No. 50217 in the amount of \$263,400.00, an engineering agreement with Kimley –Horn and Associates, Inc. for construction support services for Clear Fork Lift Station and Force Main project for a revised contract amount of \$2,156,446.00;
2. Authorize execution of a contract with Eagle Contracting, LLC., in the amount of \$12,969,865.00 for the Clear Fork Lift Station and Force Main; and
3. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Water & Sewer Revenue Bonds Series 2022 Fund by increasing estimated receipts and appropriations in the Clear Fork Lift Station and Force Main project (City Project No. 100996) in the amount of \$13,917,999.00 and decreasing estimated receipts and appropriations in the Unspecified-All Funds project (City Project No. UNSPEC) by the same amount, and to effect a portion of Water’s contribution to the Fiscal Years 2022-2026 Capital Improvement Program.

DISCUSSION:

On January 23, 2018, Mayor and Council Communication (M&C) C-28545 authorized an engineering agreement with Kimley –Horn and Associates, Inc., (City Secretary Contract No. 50217), in the amount of \$1,795,070.00 for design of the Clear Fork Lift Station and Force Main. The agreement was subsequently revised by Amendment No. 1 in the amount of \$48,720.00 administratively authorized on April 6, 2021 that provided for the preparation of a United States Army Corps of Engineers and Texas Historical Commission permits and Amendment No. 2 in the amount of \$49,256.00 administratively authorized on March 3, 2022 that provided for design to reduce the size of the lift station wet well and related appurtenance. As part of Amendment No. 3, the engineer will perform construction support services for construction of the lift station that includes inspection assistance, submittals reviews, and change order reviews and lift station start up.

The Clear Fork Lift Station project was advertised for bid on February 17, 2022 and February 24, 2022 in the *Fort Worth Star-Telegram*. On April 21, 2022 the following bids were received:

BIDDER	AMOUNT	TIME OF COMPLETION
Eagle Contracting, LLC	\$12,969,865.00	480 Calendar Days
Bar Constructors, Inc.	\$13,069,351.00	
Ark Contracting Services, LLC	\$13,131,661.50	
Archer Western Construction, LLC	\$13,349,335.00	
Thalle Construction Company	\$14,217,030.00	

In addition to the contract cost, \$425,337.00 is required for project management, inspection and material testing and \$259,397.00 is provided for project contingency.

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 appropriate funds in support of the Water’s portion of the City of Fort Worth’s Fiscal Years 2022-2026 Capital Improvement Program, as follows:

60CFLS-KHA&EAGLE

Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Change (Increase/ Decrease)	Revised FY2022 Budget
56020 – Water &	100996 –				

Sewer Revenue Bonds Series 2022 Fund	Clear Fork Lift Station and Force Main	\$0.00	This M&C	\$13,917,999.00	\$13,917,999.00
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Funding is currently available in the Unspecified-All Funds project within the W & S Rev Bonds Series 2022 for the purpose of funding the Clear Fork Lift Station and Force Main project.

Funding for the Clear Fork Lift Station and Force Main are as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
W&S Capital Proj 2018 – Fund 56014	\$3,591,570.00	\$0.00	\$3,591,570.00
Water & Sewer Revenue Bonds Series 2022 – Fund 56020	\$0.00	\$13,917,999.00	\$13,917,999.00
Project Total	\$3,591,570.00	\$13,917,999.00	\$17,509,569.00

*Numbers rounded for presentation purposes.

Business Equity: Kimley –Horn and Associates, Inc. sent in a Prime Waiver form and will self-perform the work and must be accountable for performing 100 percent of the work and cannot sub any of the work described in this amendment.

Business Equity: Eagle Contracting L.P. is in compliance with the City's Business Equity Ordinance by committing to three percent Business Equity participation and documenting good faith effort. Eagle Contracting L.P. identified several subcontracting and supplier opportunities. However, the firms contacted in the areas identified did not respond or did not submit the lowest bids. The City's Business Equity goal on this project is 22 percent.

The project is located in COUNCIL DISTRICT 9.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Unspecified - All Funds within W & S Rev Bonds Series 2022 Fund, and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the W & S Rev Bonds Series Fund for the Clear Fork LS and FM project to support the approval of the above recommendations and execution of the contracts. 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

Originating Business Unit Head: Chris Harder 5020

Additional Information Contact: Liam Conlon 6824